



28 June 2024

Grahame Kelly
General Secretary
Mining and Energy Union
215-217 Clarence Street
SYDNEY NSW 2000

By email:

Dear Grahame,

National Returning Officer's Report Mining and Energy Union General Election

The Mining and Energy Division General Elections have been completed.

At the close of nominations on Monday 6 May 2024 there were six (6) contested positions. They were:

Queensland District Senior Vice President
Queensland District Central Councillor
Queensland District Board of Management – Division 5
Queensland District Board of Management – Division 7
South Western District Vice President (B) – Mudgee
Victorian District Secretary

The ballot period was due to run from Monday 20 May 2024 until 5pm on Tuesday 11 June 2024. Due to delays with the delivery of ballot papers by Australia Post, particularly to central Queensland, I made the decision to extend the ballot period until Thursday 20 June 2024. This was to ensure that all members were given the opportunity to cast a vote.

Queensland District Senior Vice President

Number of ballot papers issued: 8270
Number of duplicate papers issued: 5
Number of ballot papers admitted as formal: 2847
Number of ballot papers rejected as informal: 42

I have declared Heath Timmins elected to the position of Queensland District Senior Vice President.

Queensland District Central Councillor (x3)

Number of ballot papers issued: 8270

Number of duplicate papers issued: 5

Number of ballot papers admitted as formal: 8019 (3 votes per ballot paper)

Number of ballot papers rejected as informal: 51

I have declared Jason Noonan, Brett Smith and Simon West elected to the position of Queensland District Central Councillor(s).

Queensland District Board of Management – Division 5

Number of ballot papers issued: 1044

Number of duplicate papers issued: 3

Number of ballot papers admitted as formal: 431

Number of ballot papers rejected as informal: 6

I have declared Daniel Boyce elected to the position of Queensland District Board of Management – Division 5.

Queensland District Board of Management – Division 7

Number of ballot papers issued: 473

Number of duplicate papers issued: 166*

Number of ballot papers admitted as formal: 202

Number of ballot papers rejected as informal: 1

I have declared Michael Gleeson elected to the position of Queensland District Board of Management – Division 7.

(*One lodge changed from site to postal after commencement of ballot. Original site ballot papers were returned and postal ballots issued to members)

Victorian District Secretary

Number of ballot papers issued: 953

Number of duplicate papers issued: 1

Number of ballot papers admitted as formal: 456

Number of ballot papers rejected as informal: 2

I have declared Mark Richards elected to the position of Victorian District Secretary

South Western District Vice President (B) – Mudgee

Number of ballot papers issued: 3717

Number of duplicate papers issued: 0

Number of ballot papers admitted as formal: 1235

Number of ballot papers rejected as informal: 6

I have declared Craig Carberry elected to the position of South Western District Vice President (B) – Mudgee.

Conduct of the election

As outlined above, the ballot was due to close on 11 June 2024, however due to slow Australia Post mailing times, I made the decision to extend the ballot to give all members an opportunity to vote. Text messages were sent to all members on 28 May 2024 to advise of the extension of the ballot and a further text message to all members on 11 June 2024, reminding members to cast their vote by 20 June 2024.

Ballot packs were tracked through the Australia Post website and on 18 and 19 June 2024 my staff made telephone calls to the Local Returning Officers who had not yet posted their ballot packs to ensure that they were aware of the close of ballot date.

Rules that may need consideration by Central Council include:

Rule 17(iii)(a)(8) - Traditionally previous National Returning Officers have allowed 21 days for the ballot period, as is the minimum requirement. The timetable for this General Election was set according to this rule. It was my experience in this election that the mailing times for Australia Post have slowed significantly and it was not possible to meet the 21 day deadline for the ballot period. I recommend that in future all ballot timetables be set with a minimum of 28 days for the ballot period to allow for a fuller participation of the membership.

Rule 17(xi)(a) allows for candidates to appoint a scrutineer to be present at the counting of ballot papers. There was a request from a candidate to appoint themselves as scrutineer for their position during this election. This request was denied and another person was nominated on their behalf. The rules are unclear about who can be appointed. It is my recommendation that it be expressly stated that a candidate cannot nominate themselves for this role.

Rule 17(xv) allows candidates to submit a candidate statement for their nominated positions up to 7 days after the close of nominations. Waiting the full 7 days to receive candidate statements resulted in the postal vote mail out being delayed. It is my recommendation that the 7 day period to submit candidate statements be reduced.

Please note that there is no direction in Rule 17 for processes to be followed when no nominations are received for a position. It is my recommendation that this be reviewed and the necessary amendments made.

Yours sincerely,



Lorraine Usher
National Returning Officer