



DECISION

Fair Work (Registered Organisations) Act 2009
s.189—Arrangement for conduct of an election

CPSU, the Community and Public Sector Union
(E2025/146)

MR STEENSON

SYDNEY, 5 SEPTEMBER 2025

Arrangement for conduct of election.

[1] On 1 September 2025, the New South Wales Branch (the **Branch**) of the SPSF Group of the CPSU, of the Community and Public Sector Union (the **organisation**) lodged with the Fair Work Commission (the **Commission**) prescribed information for an election to fill the following office for a new term of office:

Federal Vice President

(1)

[2] The SPSF Group is comprised of several branches. The Chapter C-SPSF Group Rules (Chapter C Rules) provide that each Branch Secretary shall hold the office of Federal Vice President *ex officio* (that is, by virtue of being Branch Secretary)¹. However, if a Branch Secretary also holds the office of Federal Secretary, then the rules provide that the Federal Vice President from that Branch is to be separately elected via a collegiate election process.²

[3] In the prescribed information lodged for this election, the Branch has advised that its Branch Secretary³ also continues to hold the office of Federal Secretary as a result of the outcome of election E2024/17.⁴ As the Federal Secretary cannot simultaneously hold the office of Federal Vice President⁵, a collegiate election for the office of the Federal Vice President from this Branch is required.

[4] The Branch has submitted that it would be expedient and would reduce the administrative burden upon the Australian Electoral Commission (the **AEC**) if the election that is the subject of this election (**E2025/146**), could occur at the same meeting as the second stage collegiate election for Branch Delegates to Federal Council elected by and from the members of Branch Council to be conducted in (**E2024/22**)⁶. The reason for this is that those elected as

¹ Chapter C SPSF Group rules certified 6/12/2023 [R2023/80] - subrule 33.4(a)

² Ibid – see subrules 15.1, 32.4 and 33.4

³ Declared elected on 15 August 2025 in E2024/22, arising from decision [2025] FWCD 50

⁴ [2025] FWCD 43 – declared elected on 27 August 2025

⁵ See subrule 34.1(c)

⁶ [2025] FWCD 50

Delegates to Federal Council are the persons eligible to nominate for election as Federal Vice President in the present circumstances.

[5] The Branch has indicated that the AEC has verbally confirmed a timetable for the collegiate election in E2024/22 whereby nominations are scheduled to open on 15 September 2025, and to close at the meeting at which the collegiate election is to occur. This will apparently occur on 29 September 2025, with the conduct of an in-person ballot to be administered by the AEC Returning Officer, if required.⁷

[6] This request to conduct the election for Federal Vice President at the same meeting as the election for Federal Council Delegates appears to be a sensible approach to administering both elections in a timely manner, and it is requested that, if possible, the AEC administer elections E2024/22 (for Delegates to Federal Council) and E2025/146 (for Federal Vice President) one after the other at the same meeting.

[7] It is apparent that the rules governing the election for this office are the Chapter C Rules 15.1, 32.4 and 33.4(b) and 37.1(b). There appears to be a slight inconsistency across these rules, which would benefit from review to ensure clarity and consistency. The Commission recommends that the organisation conduct such a review prior to its next rule alteration application to the Commission.

[8] I am satisfied that an election for the abovenamed office is required to be held under the rules of the organisation and, under subsection 189(3) of the *Fair Work (Registered Organisations) Act 2009*, I am making arrangements for the conduct of the election by the AEC.



DELEGATE OF THE GENERAL MANAGER

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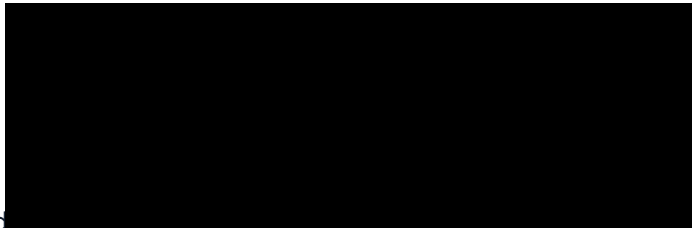
⁷ See subrule 32.2

PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009*

I, Stewart Little, being the Branch Secretary of the Community and Public Sector Union- SPSF Group- NSW Branch make the following statement:

1. I am authorised to sign this statement containing prescribed information for CPSU-SPSF NSW Branch.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The election that is required is set out in the table in Annexure A.
4. This information is lodged subsequent to the two elections under guidance of the Fair Work Commission and under conduct of the Australian Electoral Commission: E2024-17 CPSU Federal Secretary election and E2024-22 CPSU NSW Branch election.
5. I was elected as the CPSU NSW Branch Secretary was elected under election E2024-22 Stage 1, and was then elected as Federal Secretary under E2024-17.
6. Due to CPSU Chapter C Rules 32.4, and 34.1 c, I cannot take the position of Federal Vice President CPSU NSW Branch, as I also have been elected Federal Secretary.
7. When the Branch Secretary cannot be appointed ex-officio to the Federal Vice President, the rules contemplate a collegiate election to elect this position from the Branch Council.
8. The Australian Electoral Commission has verbally confirmed that the dates for Stage 2 of the CPSU NSW Election E2024-22 to be:
 - September 8 Close of Roll
 - September 15 Opening of Nominations
 - September 29 Conduct of in person Ballot with Branch Council- AEC-IEB in attendance
9. It would reduce administrative burden of the AEC and potentially the branch if this election could occur at the same Branch Council meeting as Stage 2 election of E2024-22 on September 29, 2025, and not a subsequent meeting later in the year.
10. Additionally, CPSU Stage 5 election for Federal President may be affected by any delay in election of this position, due to Rule 32.6.
11. This statement **IS NOT** lodged at least 2 months before nominations open for the election(s) in Annexure as:

- a. The vacancy has only arisen with the AEC declaration of election E2024/17 on 27 August 2025.
- b. Rule 34.1c and 32.4 require this election to occur if the Federal Secretary and the Branch Secretary are the same person.
- c. An extension of time request has not been lodged.



Signed

Stewart Little, CPSU NSW Branch Secretary

Dated:

29 August 2025

NOTE: This statement should be lodged with the Fair Work Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@fwc.gov.au.

Annexure A

- Elections that are required

Branch	Name of Office	Number required	Voting System Direct voting system; Collegiate electoral system	Reason for Election Scheduled; Casual vacancy; New office created; Insufficient nominations	Electorate
CPSU SPSF NSW Branch	Federal Vice President- CPSU NSW Branch (with Delegate to Federal Council)	1	Collegiate electoral system	Scheduled	Only members of the Branch Council can nominate. Branch Secretary can vote but cannot stand for election as the officer currently holds Federal Secretary role. Rules 32.4 and 34.1c are relevant rules of the Chapter C rules.

Proposed dates for E2024/22 that could include this position:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	NA	15 September 2025
Nominations CLOSE	NA	29 September 2025
Roll of Voters cut off date	NA	8 September 2025- NB Branch Council is the Electorate

NOTES: For insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as ‘To be determined by the returning officer’. This also applies where rules are silent as to the nominated dates.

If the nomination dates are ‘To be Determined by the Returning Officer’, but your organisation has a preference, please state ‘To be Determined by Returning Officer’ and clearly indicate that your nominated date is a preference.

If the P.I. includes a position that is not an office, please refer to our template [Prescribed information for the election of officer and non-officer positions.](#)