

**CPSU, the Community and Public Sector Union,
SPSF Group**

Declaration of Results for Contested and Uncontested Offices

E2013/151

Below are the results of the election for the following offices, conducted in accordance with the provisions of the *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation.

Delegates to Federal Council

Total number of names on the roll of voters	11
Ballot papers issued	11
Replacement ballot papers issued	0
Total Ballot Papers Issued	11
Ballot papers / envelopes returned for scrutiny	11
Less ballot papers / envelopes rejected at preliminary scrutiny	0
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	11
Percentage of ballot papers returned to number issued	100
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	0

Branch Representative on Federal Executive

<u>Candidates</u>	<u>Votes</u>
PARISSI, Leon	5
TURNER, Steve	6
Total votes	11
Formal ballot papers	11
Informal ballot papers	0

I declare Steve Turner elected.

Federal Vice-President

Candidates

WALSH, Sue

I declare Sue Walsh elected.



Lee Jones
Returning Officer
Australian Electoral Commission
25 July 2013



PO Box 496
Haymarket NSW 1239



Level 10
59 Goulburn Street
Haymarket NSW 2000

Reference: NSW

Contact: Lee Jones
Phone: (02) 9375 6361
Facsimile: (02) 9375 6336
E-mail: lee.jones@aec.gov.au

Mr John Cahill
Branch Secretary
Community and Public Sector Union
SPSF Group NSW Branch

Attention: Steve Turner

Dear Mr Cahill

**CPSU, the Community and Public Sector Union, SPSF Group
Federal Vice President & Branch Representative on Federal Executive
E2013/151**

The ballot closed at 10am on Thursday 25 July 2013 for the election for Representative on Federal Executive; and the scrutiny of returned ballot papers has now been completed.

Attached is a copy of the Declaration of the Result for the contested and uncontested office.

My Post Election Report shall be forwarded shortly.

Yours sincerely

Lee Jones
Returning Officer
26 July 2013

Cc: candidates



Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

The Community and Public Sector Union
SPSF Group

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2013/151

RULES

Rules used for elections Rule ID: [090V-NSWS: Incorporates alterations of 14/10/2005] [R2005/304]
(replaces rulebook dated 1/7/1994)

Rules difficult to apply/interpret: Nil

ROLL OF VOTERS

<i>Total number of voters on the roll</i>	11
<i>Number of apparent workplace addresses</i>	0
<i>Number of non-current addresses</i>	0
<i>Other Matters</i>	Nil

ALLEGATIONS OF IRREGULARITIES RECEIVED

Details of written allegations of irregularities, and action taken by AEC:	None
Other irregularities identified, and action taken:	None

ATTACHMENTS

A: Declaration of Results for Contested & Uncontested Offices

Lee Jones
Returning Officer
26 July 2013



DECISION

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

CPSU, the Community and Public Sector Union (E2013/151)

AILS A CARRUTHERS

MELBOURNE, 20 MAY 2013

Arrangement for conduct of election.

[1] On 28 March and 10 May 2013 the CPSU, the Community and Public Sector Union - SPSF Group, New South Wales Branch lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Federal Vice President
Branch Representative on Federal Executive

[2] Elections for the above offices are well overdue. The Branch was informed that the prescribed information was not lodged before the day prescribed by Regulation 138(3) of the *Fair Work (Registered Organisations) Regulations 2009*. That day is the day occurring 2 months before the first day when a person may, under the rules of the organisation or branch, become a candidate in the election. The Branch then asked me to allow a later day for lodgement of the prescribed information under subsection 189(2) of the Act. Having considered the reasons for late lodgement, I allow lodgement on 28 March 2013 in this instance.

[3] I am therefore satisfied that an election for the abovenamed offices 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 Australian Electoral Commission.

[4] The fact that the election notification lodged by the New South Wales Branch with respect to this matter has been lodged late does not obviate the need for a further election in 2014 to be held in accordance with the SPSF Group Rules (the Chapter C Rules of the organisation) to bring the election cycle back into synchronicity.



DELEGATE OF THE GENERAL MANAGER
FAIR WORK COMMISSION

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<Price code A, PR536566>

From: [Steve Turner](#)
To: [POWELL, Larry](#)
Subject: spsf nsw group elections
Date: Tuesday, 14 May 2013 2:16:13 PM
Attachments: [Steve Turner.vcf](#)

Hi Larry,

With regard to the request for elections of Federal Vice President and Branch Rep. on Federal Executive we recognise that these elections are overdue. These positions are elected by collegiate vote from the councillors elected recently. This election was only concluded following a decision by the Delegate on 19 February 2013 and the subsequent declaration of results from the AEC dated 26 March 2013.

IN my letter of 13 February 2013 which led to the decision of the Delegate I recognised we were technically late and the reason for this. I also acknowledged that if allowed to proceed we would conduct elections again in 2014 to bring us back into cycle. That was supported in the decision of the Delegate, and we would make the same commitment for these positions.

Yours

Steve Turner
Assistant Branch Secretary,
SPSF
02 92200970

To join the PSA/CPSU or switch payments to direct debit, go to <http://membership.psa.asn.au>

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COMMUNITY & PUBLIC SECTOR UNION ♦ SPSF GROUP NSW BRANCH

160 Clarence Street, Sydney NSW
Email: cpsu@psa.asn.au
State Branch Secretary: John Cahill

GPO Box 3365, Sydney NSW 2001
Internet: <http://www.psa.labor.nct.au>

Phone: (02) 9290 1555 Fax: (02) 9262 1623
ABN: 11 681 811 732
State Branch President: Sue Walsh

ST:lt

9th May 2013

Fair Work Commission
Lvl 4
11 Exhibition St
Melbourne VIC 3000

Attention: Larry Powell

by email: larry.powell@fwc.gov.au


Dear Sir/Madam

RE : ELECTION OF FEDERAL VICE PRESIDENT AND BRANCH REPRESENTATIVE ON FEDERAL EXECUTIVE – CPSU/SPSF GROUP

I refer to our letter of 13th February 2013. Please find attached an amended "prescribed information".

Yours faithfully


STEVE TURNER
ASSISTANT BRANCH SECRETARY

Prescribed Information in Respect of Election Regulation 138

(a) Name of each office in respect of which an election is required

Federal Vice President and Branch Representative on Federal Executive CPSU/SPSF Group.

(b) Reason for the Election

Term of Office has expired.

(c) Number of Offices

Federal Vice President 1

Branch Representative on Federal Executive 1

(d) Name of Branch, Section or other division

CPSU-SPSF Group, NSW Branch – Elected by and from Branch Federal Councillors.

(e) Date and time of the commencement and expiration of the period during which nominations of candidates will be called for

As determined by the Returning Officer

(f) See Rule 57E (attached).

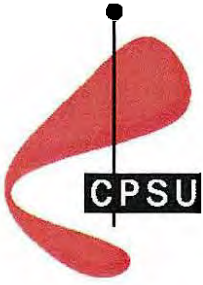
(g) The voting system to be employed

A collegiate voting system.


STEVE TURNER
ASSISTANT BRANCH SECRETARY

57 – CONDUCT OF ELECTIONS

- E. For all purposes relating to elections conducted under paragraph (i) of Sub-Rule A of these rules, the financial membership of persons eligible to nominate persons to offices within the Group, to accept nomination for election to those offices and to vote in any such election shall be ascertained as follows:
- (i) Those persons who are financial members of the Group as at seven (7) clear days prior to the date upon which nominations for the office or offices the subject of the election or elections are to open shall be eligible to nominate persons for, or, inter alia, be candidates nominated for, such office or offices.
 - (ii) Those persons who are financial members of the Group as at the close of the roll of voters shall be eligible to vote in an election.
 - (iii) A roll of financial members eligible to vote in the election or elections shall be prepared as at seven (7) clear days prior to the date upon which nominations for the office or offices the subject of the election or elections are to open.



COMMUNITY & PUBLIC SECTOR UNION ♦ SPSF GROUP NSW BRANCH

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ABN: 11 681 811 732

State Branch President: Sue Walsh

ST:lt

13 February 2013

Fair Work Commission
Lvl 4
11 Exhibition St
Melbourne VIC 3000
Att: Melissa

Dear Sir/Madam

RE : ELECTION OF FEDERAL VICE PRESIDENT AND BRANCH REPRESENTATIVE ON FEDERAL EXECUTIVE – CPSU/SPSF GROUP

The election of the Branch Federal Councillors was conducted on 25 March 2013. Now that this election has been held we must have an election for Federal Vice President and Branch Representative on Federal Executive in line with Rule 55B. These positions must be elected from the elected delegates to Federal Council.

I was recently elected to the position of Branch Assistant Secretary of the NSW SPSF Branch and I have the power and authority to write and request this process begin.

I enclose:

- i) a copy of the relevant rules of the union, and a list of names and addresses of eligible nominees;
- ii) a copy of the prescribed information in respect of Regulation 138; and
- iii) statement of authority to lodge the prescribed information under sub-section 189(1) of the Registered Organisations Act 2009.

I understand that this election is late and should occur every two years. I also understand that such elections should occur in even years. This may necessitate a further election next year to bring it back into line. Once you grant the Branch permission to proceed with this election, Federal Councillors will be made aware of the need for a further election next year if that is necessary.

I should be grateful if you would arrange for the Australian Electoral Office to conduct this election.

Yours faithfully

STEVE TURNER
ASSISTANT BRANCH SECRETARY

57 – CONDUCT OF ELECTIONS

- E. For all purposes relating to elections conducted under paragraph (i) of Sub-Rule A of these rules, the financial membership of persons eligible to nominate persons to offices within the Group, to accept nomination for election to those offices and to vote in any such election shall be ascertained as follows:
- (i) Those persons who are financial members of the Group as at seven (7) clear days prior to the date upon which nominations for the office or offices the subject of the election or elections are to open shall be eligible to nominate persons for, or, inter alia, be candidates nominated for, such office or offices.
 - (ii) Those persons who are financial members of the Group as at the close of the roll of voters shall be eligible to vote in an election.
 - (iii) A roll of financial members eligible to vote in the election or elections shall be prepared as at seven (7) clear days prior to the date upon which nominations for the office or offices the subject of the election or elections are to open.

Rules of CPSU, the Community and Public Sector Union

54B - ELECTION OF DELEGATES TO FEDERAL COUNCIL

- A. Each Branch shall elect delegates to Federal Council two-yearly by secret ballot of the members of the Branch Council.
- The persons eligible to accept nomination for election as delegate to Federal Council shall be the members of the Branch Council.
- B. Each election under this rule shall be conducted so that the result is declared not earlier than the 1st of June and not later than the 25th of August in each even-numbered year.
- C. Nominations for election of delegates to Federal Council shall be called by notification of all members of the Branch Council at least 14 days prior to the first meeting of the Branch Council after each two-yearly election of delegates to Branch Council. Nominations shall be called for by the Branch Returning Officer or a person appointed in accordance with Rule 53F of these rules.
- D. Nominations shall be in writing and shall be signed by the member of the Branch Council accepting nominations, and by two other members of Branch Council proposing the member and specifying that they are being nominated as a Delegate to Federal Council.
- E. Nominations shall close at 6 p.m. on the first day of each Branch Council meeting at which an election is necessary. The Returning Officer shall advise Council at the opening of the Council meeting of the nominations received by him at that time. If the Returning Officer conducting the election finds nominations to be defective, the Returning Officer shall, before rejecting the nomination, notify the person concerned of the defect and, where it is practicable to do so, give the person the opportunity of remedying the defect before the election, but if not practicable because of the absence from the Branch Council of a member of Branch Council who had nominated or purported to nominate the person (there being no other member of the Branch Council who is prepared to nominate the person), or for other good cause shown to the satisfaction of the Returning Officer, within 7 days after the person's being so notified.
- F. If the number of valid nominations received does not exceed the number of delegates to be elected in accordance with these rules the Returning Officer shall declare those persons elected.
- G. If the number of valid nominations received exceeds the number of delegates to be elected the Returning Officer shall forthwith subject to the provisions of this rule dealing with absent voting, proceed to hold a secret ballot of the whole of the membership of Branch Council in accordance with these rules. The Returning Officer shall declare the result of such ballot immediately the counting of votes is concluded.
- H. For the purpose of nomination or voting in any election under this rule the register of members of the Branch Council shall be deemed to have closed at 6 p.m. on the first day of each Branch Council meeting at which the election is necessary, and only those members whose names appear on the register at the time shall be eligible to nominate or to be nominated or vote in such elections.
- I. Any member of the Branch Council who will not be present at the meeting at which an election for delegates to Federal Council is to be held may prior to the close of nominations lodge with the Returning Officer or Branch Secretary a request for an absent vote in respect of the election, which request shall specify the address where the absent vote may be delivered. Where it is not possible to complete the election at the relevant meeting of Branch Council because of the request for, and issue of, an absent vote, the Returning Officer shall not count any votes or declare the result of the election until the member or members to whom absent votes have been issued have had such reasonable opportunity to vote as is determined by the Returning Officer. In any case where it is not practicable to hold the election at the meeting of Branch Council because of the right of a candidate to remedy the defect in terms of sub-Rule E hereof, such election shall be carried out as a secret postal ballot of all members of Branch Council.

J. Where a special sub-branch exists in a Branch and the rules of the Branch provide for the election of a Branch Delegate to Federal Council from the special sub-branch, then:

- (i) sub-rules A to I inclusive shall apply to the election of other Delegates to Federal Council from the Branch and for the purpose of that election all references in those sub-rules to members of the Branch Council shall be taken to refer to members of the Branch Council who are not members of the special sub-branch and all references to the Branch Council shall be taken to refer to that part of the Branch Council which is composed of members who are not members of the special sub-branch, and
- (ii) sub-rules A to I inclusive shall apply to the election of the Delegate to Federal Council from the special sub-branch and for the purpose of that election all references in those sub-rules to members of the Branch Council shall be taken to refer to members of the Branch Council who are members of the special sub-branch and all references to the Branch Council shall be taken to refer to that part of the Branch Council which is composed of members who are members of the special sub-branch.

55C – ELECTION OF FEDERAL PRESIDENT AND DETERMINATION OF SENIORITY OF FEDERAL VICE-PRESIDENTS

55B - ELECTION OF FEDERAL VICE-PRESIDENTS AND BRANCH REPRESENTATIVES ON BRANCH EXECUTIVE

- A. The Federal Vice-President and the Branch representative on the Federal Executive from each Branch shall be elected two yearly by secret postal ballots of the delegates to Federal Council from that Branch. The persons eligible to accept nomination for election as Vice-President from each Branch and as Branch Representative on the Federal Executive from each Branch shall be the delegates to the Federal Council from the Branch concerned.

Nominations for Federal Vice-President and for Branch Representative on the Federal Executive shall be in writing and shall be signed by the Member of Federal Council accepting nomination and by one other member of Federal Council proposing them.

- B. Nominations for each of the positions of Vice-President and Branch Representative on the Federal Executive shall be called by notification to all members of Federal Council from the Branch as soon as practicable after they take office. Nominations shall be called for by the Branch Returning Officer or a person appointed in accordance with Rule 53F of these Rules who shall fix the date on which nominations close and the dates between which the Ballot, if any, shall be conducted. Nominations shall close on a date at least 14 days but not more than 28 days after the notification.

55C – ELECTION OF FEDERAL PRESIDENT AND DETERMINATION OF SENIORITY OF FEDERAL VICE-PRESIDENTS

- A. The Federal President shall be elected two yearly by secret ballot of the Federal Councillors held in accordance with these Rules.
- B. The persons eligible to accept nomination for election as Federal President shall be the Federal Vice-Presidents.

Nominations shall be in writing and shall be signed by the Federal Vice-President accepting nomination, and by two other members of Federal Council. Nominations shall be called as soon as practicable after completion of the elections for Federal Vice-President. Nominations shall be called for by the Federal Returning Officer or a person appointed in accordance with Rule 53E of these Rules who shall fix the date on which nominations close and the dates between which the ballot, if any, shall be conducted. Nominations shall close on a date at least 14 days, but not more than 28 days after the notification.

The order of seniority of the remaining Vice-Presidents shall be fixed by agreement between the Vice-Presidents, advised in writing to the President or the Chair of a Federal Council Meeting.

If the election of Federal President is declared before the ordinary two-yearly Federal Council Meeting and no agreement has been received by the time item (xiv) of the Council's agenda is reached, the Federal Council may determine the order.

If the election of Federal President is declared during or after the Ordinary two-yearly Federal Council Meeting and no agreement is advised to the President within two weeks of the declaration, the Federal Council may determine the order by postal ballot. In this case:

- (a) the Federal President shall within four weeks of the declaration advise all Federal Officers that no agreement was advised within two weeks of the declaration;

NSW BRANCH DELEGATES TO FEDERAL COUNCIL AT @ 26.3.2013

	Name	Address	Email Address
Federal Councillor	Sue Walsh	160 Clarence St, Sydney NSW 2000	swalsh@psa.asn.au
Federal Councillor	Steve Turner	C/- 160 Clarence St, Sydney NSW 2000	sturner@psa.asn.au
Federal Councillor	Nicole Jess	C/- Dept of Corrective Services, Locked Mail Bag 130, Silverwater NSW 2128	Nicole.jess@dcs.nsw.gov.au
Federal Councillor	Linda Barclay-Hales	C/- ADHC, P O Box 132, Albury NSW 2640	Linda.barclay-hales@facs.nsw.gov.au
Federal Councillor	Wendy Hurry	C/- 160 Clarence St Sydney NSW 2000	Wendy.hurry@bigpond.com
Federal Councillor	Brian Webb	C/- University of Wollongong P O Box 1144 Wollongong NSW 2500	Brian_webb@uow.edu.au
Federal Councillor	Boyd Kellner	C/- Byron Bay Public School, 17 Kingsley St, Byron Bay NSW 2481	Boyd.kellner@det.nsw.edu.au
Federal Councillor	Margaret McLoughlin-Fullick	C/- TAFE Hunter Institute, Newcastle Campus, Maitland Rd, Tighes Hill NSW 2297	Margaret.mcloughlin@tafensw.edu.au
Federal Councillor	Leon Parissi	C/- TAFE Sydney Institute, SIT Library, Building D, Mary-Anne St, Ultimo NSW 2007	Leon.Parissi@tafensw.edu.au
Federal Councillor	Jenny Singleton	C/- Dept of Corrective Services, P O Box 13, Malabar NSW 2036	Jennifer.singleton@dcs.nsw.gov.au
Federal Councillor Sub-Branch No. 1	Ron Davis	SAS & FSS Trustee Corp, Level 17, 83 Clarence St, Sydney NSW 2000	Ron_davis@statesuper.nsw.gov.au

Prescribed Information in Respect of Election Regulation 138

(a) Name of each office in respect of which an election is required

Delegates to Federal Council

(b) Reason for the Election

As required by Rule 54B of the union's rules.

(c) Number of Offices

Delegates to Federal Council (other than from SPSF Group NSW Sub-Branch No. 1) (*already conducted*) 10

Delegates to Federal Council (from SPSF Group NSW Sub-Branch No. 1) (*already conducted*) 1

Federal Vice President 1

Branch Representative on Federal Executive 1

(d) Name of Branch, Section or other division

CPSU-SPSF Group, NSW Branch

(e) Date and time of the commencement and expiration of the period during which nominations of candidates will be called for

As determined by the Returning Officer

(f) See Rule 57E (attached).

(g) The voting system to be employed

A proportional representation voting system by and from the Branch Councillors of the NSW Branch.


STEVE TURNER
ASSISTANT BRANCH SECRETARY



COMMUNITY & PUBLIC SECTOR UNION ♦ SPSF GROUP NSW BRANCH

160 Clarence Street, Sydney NSW
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Internet: <http://www.psa.labor.net.au> ABN: 11 681 811 732
State Branch President: Sue Walsh

ST:lt

28 March 2013

Fair Work Commission
Lvl 4
11 Exhibition St
Melbourne VIC 3000
Att: Melissa

Dear Sir/Madam

**RE : ELECTION OF FEDERAL VICE PRESIDENT AND BRANCH
REPRESENTATIVE ON FEDERAL EXECUTIVE – CPSU/SPSF GROUP**

I am authorised to lodge the information prescribed under sub-section 189(1)
of the Registered Organisations Act 2009.

Yours faithfully


STEVE TURNER
ASSISTANT BRANCH SECRETARY