



## DECISION

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

**CPSU, the Community and Public Sector Union-SPSF Group, New South  
Wales Branch**  
(E2014/126)

MR ENRIGHT

MELBOURNE, 21 MAY 2014

*Arrangement for conduct of an election.*

[1] On 22 April 2014 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:

Branch Delegate to Federal Council (1) (elected by and from members of Branch Council who are members of Sub-Branch No. 1)

Branch Delegates to Federal Council (10) (elected by and from members of Branch Council excluding members of Branch Council who are members of Sub-Branch No. 1)

Federal Vice-President  
Branch Representative on Federal Executive

[2] I am 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.



DELEGATE OF THE GENERAL MANAGER

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COMMUNITY & PUBLIC SECTOR UNION ♦ SPSF GROUP NSW BRANCH

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State Branch Secretary: John Cahill

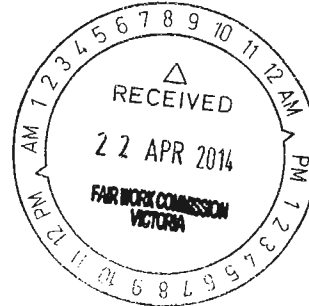
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State Branch President: Sue Walsh

ST:lt

16 April 2014

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



Dear Sir/Madam

**RE : ELECTION OF FEDERAL COUNCILLORS – CPSU/SPSF GROUP**

Pursuant to the rules of the CPSU, I advise you that elections of Federal Councillors representing the SPSF Group, NSW Branch, are now due.

I am the Branch Assistant Secretary of the NSW SPSF Branch and I have the power and authority to write and request this process begin.

The elections are collegiate, and are by and from the NSW Branch Council; one delegate is elected by and from the four State Councillors representing the NSW Sub-Branch No.1, and ten Councillors are elected by and from the remaining 17 members of the Branch Council.

Once the election for Councillors has been conducted we must then 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 enclose:

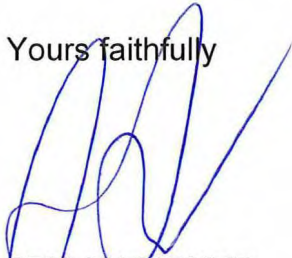
- i) A copy of the relevant rules of the union and a list of names and addresses of eligible nominees
- ii) A copy of the prescribed information in respect of Regulation 138 in relation to the election of delegates to Federal Council (A);
- iii) A copy of the prescribed information in respect of Regulation 138 in relation to the election of Federal Vice President and Branch Representative on Federal Executive CPSU/SPSF Group (B);
- iv) Statement of authority to lodge the prescribed information under sub section 189(1) of the Registered Organisations Act 2009.

In requesting this election at this time we are complying with the FWC Decision dated Melbourne, 19 February 2013, point 4 viz;

“The fact that the election notification lodged by the NSW 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”.

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

Yours faithfully



STEVE TURNER  
BRANCH ASSISTANT 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**

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**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;

**NAMES AND ADDRESSES OF ELIGIBLE NOMINEES**

<b>Position Held</b>	<b>Name</b>	<b>Address</b>
President	Sue Walsh	C/- 160 Clarence St, Sydney NSW 2000
Secretary	John Cahill	C/- 160 Clarence St, Sydney NSW 2000
Assistant Secretary	Steve Turner	160 Clarence St, Sydney NSW 2000
Assistant Secretary	Kirsten Cameron	C/- Legal Aid NSW P O Box K847 Haymarket NSW 1238
Assistant Secretary Sub-Branch No. 1	Ron Davis	12 Brisbane Street Noraville NSW 2263
Vice President	Wendy Hurry	C/- 160 Clarence St Sydney NSW 2000
Vice President	Nicole Jess	C/- Dept of Corrective Services, Locked Mail Bag 130, Silverwater NSW 2128
Vice President	Boyd Kellner	C/- Byron Bay Public School, 17 Kingsley St, Byron Bay NSW 2481
Branch Councillor	Anne Attwater	160 Clarence St Sydney NSW 2000
Branch Councillor	Linda Barclay-Hales	C/- ADHC, P O Box 132, Albury NSW 2640
Branch Councillor	Jessie Choy	C/- Health Care Complaints Commission, Level 13, 323 Castlereagh St, Sydney NSW 2000
Branch Councillor	Kaye Hiddlestone	C/- Toormina Public School, Cavanba Rd, Toormina NSW 2452
Branch Councillor	Margaret Jarosz	C/- NSW Health Profession Registration Board, Lvl 6, 477 Pitt St, Sydney NSW 2000
Branch Councillor	Margaret McLoughlin- Fullick	C/- TAFE Hunter Institute, Newcastle Campus, Maitland Rd, Tighes Hill NSW 2297
Branch Councillor	Leon Parissi	C/- TAFE Sydney Institute, SIT Library, Building D, Mary-Anne St, Ultimo NSW 2007
Branch Councillor	Jenny Singleton	C/- 160 Clarence Street Sydney NSW 2000



<b>Position Held</b>	<b>Name</b>	<b>Address</b>
Branch Councillor	Jeffrey Walters	C/- Newcastle Courthouse, P O Box 388, Newcastle NSW 2300
Branch Councillor	Brian Webb	C/- University of Wollongong P O Box 1144 Wollongong NSW 2500
Branch Council – Sub-Branch No. 1	Mark Gordon	C/- RMS, P O Box 3035, Parramatta NSW 2124 NSW 2124
Branch Councillor Sub-Branch No. 1	Dennis Milling	C/- NSW Office of Water, P O Box 796, Murwillumbah NSW 2484
Branch Councillor – Sub-Branch No. 1	Michael Sergent	C/- Legal Aid NSW, Graovac House, 73 Church St, Wollongong NSW 2500

**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) 10  
Delegates to Federal Council (from SPSF Group NSW Sub-Branch No. 1) 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 collegiate voting system.



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



COMMUNITY & PUBLIC SECTOR UNION ♦ SPSF GROUP NSW BRANCH

160 Clarence Street, Sydney NSW  
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11 April 2014

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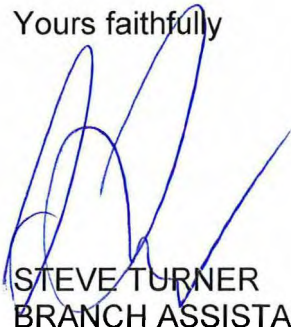
Dear Sir/Madam

**RE : ELECTION OF FEDERAL COUNCILLORS – CPSU-SPSF GROUP**

I am authorised to lodge the information prescribed under sub-section 189(1) of the Registered Organisations Act 2009. This authority was endorsed at the meeting of the NSW Branch held on 1 April 2014 viz

**BC9/14      “That in view of the fact that an election is due this year for Federal Councillors, the Branch write to Fair Work Australia to initiate that election. Assistant Branch Secretary Steve Turner to have carriage of this election for the Branch”.**

Yours faithfully



STEVE TURNER  
BRANCH ASSISTANT SECRETARY