

**CPSU, THE COMMUNITY AND PUBLIC SECTOR UNION  
SPSF GROUP  
Federal President**

**DECLARATION OF RESULTS FOR UNCONTESTED OFFICE**

Results of the election for the following office conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2005/205

**Federal President**

Candidate

BATT, Karen

As the number of nominations accepted did not exceed the number of positions to be filled, I declare Karen BATT elected.

Jeff Howarth  
Returning Officer

Australian Electoral Commission Canberra

14 December 2005

# Australian Electoral Commission / AEC

## Workplace Relations Act 1996 – Schedule 1B

### RETURNING OFFICER - POST ELECTION REPORT

<u>Client:</u>	CPSU, the Community and Public Sector Union – SPSF Group		
<u>Contact details:</u>	Mr David Carey Federal Secretary CPSU, the Community and Public Sector Union-SPSF Group 4 <sup>th</sup> Floor, 160 Clarence St SYDNEY 2000	<u>Email:</u> <u>Tel:</u>	dcarey@spsf.asn.au 02 9299 5655
<u>AIR contact officer:</u>	Ken Ophel	<u>Email:</u> <u>Tel:</u>	industrial.elections@air.gov.au

#### **ELECTIONS COVERED IN THIS REPORT**

<u>Election Decision No/s</u>	E2005/205
<u>Election:</u>	Federal President
<u>Returning Officer:</u>	Jeff Howarth

#### **RULES**

<u>Rules used for elections Rule ID</u>	090V-SPSF: Incorporates alterations of 5/7/2004 [R2004/346]
<u>Rule/s re eligibility to vote</u>	
<u>Rules difficult to apply/interpret</u>	
<u>Model Rule reference (if any)</u>	
<u>Legal precedents considered</u>	
<u>Action taken under section 193 of RAO Schedule</u>	

#### **ROLL OF VOTERS**

<b><u>Total number of voters on the roll</u></b>		
<u>Number of private addresses</u>		%
<u>Number of apparent workplace addresses</u>		%
<u>Number of non-current addresses</u>		%

#### **OTHER MATTERS PERTAINING TO ROLL OF VOTERS**

Comments	
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#### **ALLEGATIONS OF IRREGULARITIES RECEIVED**

<u>Number of written complaints / allegations</u>	There were no written complaints or allegations of irregularities
<u>Details of complaints / allegations</u>	

Action taken by AEC	
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**IRREGULARITIES IDENTIFIED**

<b>Irregularity</b>	<b>Details</b>

**ACTION TAKEN IN RELATION TO IRREGULARITIES**

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**OTHER MATTERS**

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**ATTACHMENTS**

A	Declaration of results
B	Covering letter to declaration of results
C	

Jeff Howarth  
Returning Officer  
20 January 2006

**Australian Electoral Commission / AEC**

**Australian Electoral Commission / AEC**

**CPSU, THE COMMUNITY AND PUBLIC SECTOR UNION  
SPSF GROUP  
Federal President**

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**Candidate**

BATT, Karen

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Jeff Howarth  
Returning Officer

Australian Electoral Commission Canberra

14 December 2005

PR964821

*Workplace Relations Act 1996*  
s.189 of Schedule 1B - arrangement for conduct of an election

**CPSU, the Community and Public Sector Union**  
(E2005/205)

T NASSIOS  
DEPUTY INDUSTRIAL REGISTRAR

MELBOURNE, 9 NOVEMBER 2005

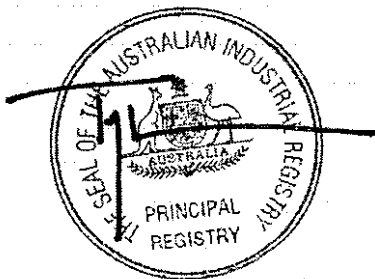
*Arrangement for conduct of election.*

**DECISION**

[1] On 7 November 2005 the CPSU, the Community and Public Sector Union-SPSF Group lodged in the Industrial Registry prescribed information in relation to an election for the following office:

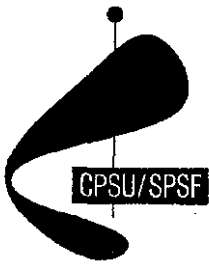
Federal President

[2] 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 Schedule 1B of the Workplace Relations Act 1996, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



Printed by authority of the Commonwealth Government Printer

E2005/205  
PR964821



CPSU/SPSF

# Electrol

COMMUNITY & PUBLIC SECTOR UNION  
STATE PUBLIC SERVICES FEDERATION GROUP

Federal Office  
4th Floor, 160 Clarence Street  
Sydney NSW 2000  
AUSTRALIA

Tel: (02) 9299 5655  
Fax: (02) 9299 7181

Joint National Secretariat

In reply please quote  
reference number:

## FACSIMILE TRANSMISSION

TO:

Ken Ophel

FROM:

David Conroy

DATE:

FAX NO.

NUMBER OF SHEETS (including cover)

7

RE:

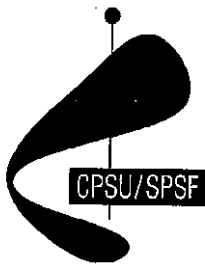
CPSU SPSF Election

MESSAGE:

Ken

The letter I promised  
on Friday

Copy of Fax in Electronic Lodgement  
Folder



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STATE PUBLIC SERVICES FEDERATION GROUP

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Sydney NSW 2000  
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Joint National Secretariat

In reply please quote  
reference number:

4 November 2005

Industrial Registrar  
Australian Industrial Registry  
Level 35, Nauru House  
80 Collins Street  
Melbourne Victoria 3000

**Attention : Mr Ken Ophel**

Dear Sir

Further to our recent conversation and correspondence concerning the CPSU SPSF Group Rule 55 C - Election of Federal President and determination of seniority of Federal Vice Presidents, please find attached the following request for the conduct of an election according to the Workplace Relations Act 1996 schedule 1 B Chapter 7 Regulation 189.

I have attached also the Regulation 138 "prescribed information" for the election and the list of persons eligible to be nominated for the position and the persons eligible to participate in the ballot.

Would you please make the appropriate arrangements for the Australian Electoral Commission to call for nominations and conduct the ballot if appropriate.

Yours sincerely

A handwritten signature in black ink, appearing to read "David Carey".

David Carey  
Federal Secretary

Attchs : List Vice Presidents  
List Fed Councillors  
S189 request R138

## Community and Public Sector Union – SPSF Group request for the conduct of an Election

### Statement under section 189 of the RAO Schedule Regulation 138 prescribed information for election.

- a) **That in the name of the office for which the election is required :-**  
Federal President
- b) **The reason for the election:** The term of the office has expired.
- c) **The number of offices or positions:** 1
- d) **The electorate:** CPSU SPSF Group Federal Councillors.
- e) **The date and time for calling nominations:** Ordinarily before the two yearly meeting of the Federal Council to enable the election of the President before the consideration of the Seniority of the Vice Presidents, however nominations may be conducted by postal ballot of Federal Councillors .
- f) **The day provided for the close of the Roll:** not applicable
- g) **The kind of voting system:** Collegiate. The nominations are called from the six Federal Vice Presidents. The Vice President has to be nominated by at least two Federal Councillors . In the event that there are more than one nomination the Federal Councillors are the electorate.



**Persons eligible to stand for Election as President - Federal Vice Presidents**

**John Cahill  
Vice President  
GPO Box 3365  
Sydney  
NSW 2001**

**Brett McCreadie  
Vice President  
PO Box 175  
Albert St  
Brisbane  
QLD 4002**

**Toni Walkington  
Vice President  
GPO Box X2252  
Perth  
WA 6001**

**Tom Lynch  
Vice President  
157 Collins St  
Hobart  
TAS 7000**

**Karen Batt  
Vice President  
PO Box 200  
Carlton South  
VIC 3053**

**Jan McMahon  
Vice President  
SPSF SA Branch  
122 Pirie St  
Adelaide  
SA 5000**

**Persons Eligible to Vote for the President - Federal Councillors**

**David Griffin  
Federal Councillor  
42 Woodland St  
Balgowlah  
NSW 2093**

**John Cahill  
Federal Councillor  
GPO Box 3365  
Sydney  
NSW 2001**

**Ayshe Lewis  
Federal Councillor  
PSA House  
160 Clarence Street  
Sydney  
NSW 2000**

**John McKellar  
Federal Councillor  
17 Marama Parade  
Waga Wagga  
NSW 2650**

**Leon Parissi  
Federal Councillor  
41A Charlotte Street  
Leichardt  
NSW 2040**

**Brian Webb  
Federal Councillor  
2 Napier Place  
Albion Park  
NSW 2527**

**Sue Walsh  
Federal Councillor  
PSA House  
160 Clarence Street  
Sydney  
NSW 2000**

**Adrienne Harris  
Federal Councillor  
15 Angel Street  
Newtown  
NSW 2042**

**Cheryl McGuire  
Federal Councillor  
7 Weeronga Way  
Bathurst  
NSW 2795**

**Shane O'Brien  
Federal Councillor  
PSA House  
160 Clarence Street  
Sydney  
NSW 2000**

**Steve Turner  
Federal Councillor  
PSA House  
160 Clarence Street  
Sydney  
NSW 2000**

**Leonard Haigh  
Federal Councillor  
29 Main Ave  
Wilston  
QLD 4051**

**Jeffrey Allan Morris**  
Federal Councillor  
7 Sussex Drive  
Albany Creek  
QLD 4035

**Toni Deaves**  
Federal Councillor  
Pathology, Princess Alexandra Hospital  
Woolloongabba  
QLD 4102

**Liam McKay**  
Federal Councillor  
49 Stoneleigh St  
Albion  
QLD 4010

**Toni Walkington**  
Federal Councillor  
GPO Box X2252  
Perth  
WA 6001

**Brian Ellis**  
Federal Councillor  
GPO Box X2252  
Perth  
WA 6001

**Brendon Hewson**  
Federal Councillor  
GPO Box X2252  
Perth  
WA 6001

**Lea McKay**  
Federal Councillor  
GPO Box X2252  
Perth  
WA 6001

**Jo Gaines,**  
Federal Councillor  
GPO Box X2252  
Perth  
WA 6001

**Tom Lynch**  
Federal Councillor  
157 Collins St  
Hobart  
TAS 7000

**Lindsay Jones**  
Federal Councillor  
157 Collins St  
Hobart  
TAS 7000

**Mat Johnston**  
Federal Councillor  
157 Collins St  
Hobart  
TAS 7000

**Wendy Wolf**  
Federal Councillor  
17 Gillies St  
Snug  
TAS 7054

**Jim Walton**  
Federal Councillor  
PO Box 200  
Carlton South  
VIC 3053

**Karen Batt**  
Federal Councillor  
PO Box 200  
Carlton South  
VIC 3053

**Kelvin Goodall**  
Federal Councillor  
44 Brunswick Rd  
East Brunswick  
VIC 3057

**Peter Lilywhite**  
Federal Councillor  
82 Albion Rd  
Ashburton  
VIC 3147

**Judy Mead  
Federal Councillor  
35 Irving St  
Mt Waverley  
VIC 3149**

**Jeff Hadaway  
Federal Councillor  
PO Box 99  
Woodville  
SA 5011**

**Jan McMahon  
Federal Councillor  
SPSF SA Branch  
122 Pirie St  
Adelaide  
SA 5000**

**Margaret Warner  
Federal Councillor  
SPSF SA Branch  
122 Pirie St  
Adelaide  
SA 5000**

**Lindsay Oxlad  
Federal Councillor  
4 Lenbar Court  
Highbury  
SA 5089**

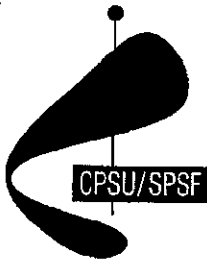
**Neville Kitchin  
Federal Councillor  
SPSF SA Branch  
122 Pirie St  
Adelaide  
SA 5000**

**Vivienne Doogan  
Federal Councillor  
45 Watson St  
Camp Hill  
QLD 4152**

**Phil Gray  
Federal Councillor  
64 Clarence Dr  
Heiensvale  
QLD 4212**

**Alexander Scott  
Federal Councillor  
PO Box 175  
Albert St  
Brisbane  
QLD 4002**

**Brett McCreadie  
Federal Councillor  
PO Box 175  
Albert St  
Brisbane  
QLD 4002**



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Joint National Secretariat

In reply please quote  
reference number:

FACSIMILE TRANSMISSION

TO: A1 Registry  
ATTENTION TERRY NASSIOS

FROM: DAVID CAREY

DATE: 3 Nov 05

FAX NO. \_\_\_\_\_

NUMBER OF SHEETS (including cover) 3

RE: CPSU SPSF Election  
Rule 55C Chapter C

MESSAGE:

Terry

Can you give me a  
call about this  
letter. I'm being  
pressed by our Fed Exec  
to get this election  
held. I spoke to Cleary (I think)  
about this at the time.  
Thankyou!

David Carey



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Joint National Secretariat

In reply please quote  
reference number

3 November 2005

Industrial Registrar  
Australian Industrial Registry  
Level L35  
Nauru House  
80 Collins St  
Melbourne VIC 2003

**Dear Sir\Madam**

**Re CPSU SPSF Group Rule 55 C. Election of Federal President and  
Determination of Seniority of Federal Vice Presidents**

The Union wrote on the 28<sup>th</sup> January 2005 following the Federal Council of the CPSU SPSF Group held in December 2004 to request that the AEC organise for the conduct of a ballot for the election of the SPSF Federal President and "order of seniority" of the Vice Presidents under rule 55 C of Chapter C of the rules of the CPSU.

The union also wrote on the 7<sup>th</sup> of June 2005 following up on this issue.

As set out in my earlier correspondence, the delay in knowing the outcome of several Branch Elections for Federal Vice Presidents in 2004 (which in the event were only concluded a matter of days immediately before the commencement of the Federal Council), meant that there was not the opportunity to notify the AEC of the eligible Federal Vice Presidents in time for the giving notice of calling of nominations for the election to be conducted at the Federal Council Meeting.

To date we have not had any contact from the AEC about the election throughout the course of 2005.

Although this is a very limited election, I trust you understand the delay is causing the union some concern.

The election of President, from one of the Vice Presidents and on the nomination of two Federal Councillors, has not recently been a matter that has been contested, however, on our reading of the RAO Schedule, which came into effect in 2004 the union must now still call the AEC to contact the Vice Presidents and seek a nomination from them, and if contested, advise the eligible Federal Council members of the conduct of a postal ballot.

Rule 55C subsequently allows the "order of seniority" of the remaining five Vice Presidents to be fixed by agreement between the Vice Presidents and then advised in writing to the President or the chair of a Federal Council meeting. In the absence of a meeting the Federal Council may determine the order by postal ballot of Federal Councillors.

I would be grateful for your earliest advice on the progress of this matter through the AEC.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Carey', with a small dot at the end.

David Carey  
Federal Secretary



**OPHEL, Ken**

---

**From:** OPHEL, Ken  
**Sent:** Friday, 4 November 2005 3:01 PM  
**To:** 'dcarey@spsf.asn.au'  
**Cc:** NASSIOS, Terry; Lynette Markovski  
**Subject:** Election for Federal President etc

David,

Terry Nassios has asked me to respond to your fax dated 3 November regarding elections under rule 55C. You were out of your office when I rang earlier today.

I have checked our records and we do not appear to have received prescribed information regarding this election, or any other correspondence regarding making arrangements for this election with the AEC. I could not find any correspondence from you dated 28 January 2005 or 7 June 2005.

Perhaps the correspondence you refer to was sent directly to the AEC rather than to the Registry as required under RAO s189 and RAO reg 138??

On some occasions where the AEC receives correspondence re an election, and for whatever reason thinks we may not have received a s189 notification, they will give us a ring to check as a matter of courtesy and mutual convenience, but that does not seem to have occurred regarding this matter either.

Could you please lodge the prescribed information with us and we will process the request as soon as possible. It can be faxed to (03) 9654 6672 or emailed to me at [ken.ophel@air.gov.au](mailto:ken.ophel@air.gov.au).

regards

Ken Ophel  
Statutory Services Branch  
(03) 8661 7984  
[ken.ophel@air.gov.au](mailto:ken.ophel@air.gov.au)