

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Client: CPSU, The Community and Public Sector Union, SPSF Group,
Western Australian Branch

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ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2014/228

RULES

Rules used for the election:

090V-SPSF: Incorporates alterations of 17/10/2014 (R2014/161)] replaces rulebook dated 17/02/14

[090V-WAS: Incorporates alterations of 28/07/2011 (R2011/132)] replaces rulebook dated 9/11/06

Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: 36

Number of apparent workplace addresses: 0

Number of non-current addresses: 0

Other matters pertaining to the roll of voters: The roll of voters was used to post notices and nomination forms to all councillors as per the rules.

IRREGULARITIES

Details of written allegations of irregularities, and action taken by AEC: Nil

Other irregularities identified, and action taken: Nil

ATTACHMENTS

Declaration of Results for Contested Offices


Matthew Colley
Returning Officer
28 November, 2014

CPSU, the Community and Public Sector Union, SPSF Group Vacancy Election

Declaration of Results for Contested Offices

E2014/228

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.

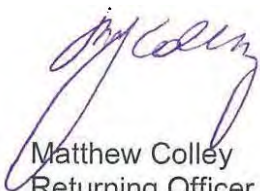
Western Australian Branch

Total number of names on the roll of voters	36
Ballot papers issued	21
Replacement ballot papers issued	0
Total Ballot Papers Issued	21
Ballot papers / envelopes returned for scrutiny	21
Less ballot papers / envelopes rejected at preliminary scrutiny	0
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	21
Percentage of ballot papers returned to number issued	100
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	0

Branch Delegate to Federal Council

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
WATSON, Tom	14	14
SUTHERLAND, Grant	7	7
Exhausted Votes		0
Loss/Gain by Fraction		0
Total votes	21	21
Formal ballot papers	21	21
Informal ballot papers	0	0

I declare Tom Watson elected.



Matthew Colley
Returning Officer
Australian Electoral Commission

26 November, 2014



DECISION

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

CPSU, the Community and Public Sector Union
(E2014/228)

MR ENRIGHT

MELBOURNE, 27 OCTOBER 2014

Arrangement for conduct of election.

[1] On 14 October 2014 the Western Australian Branch of the SPSF Group of the CPSU, the Community and Public Sector Union lodged with the Fair Work Commission the prescribed information in relation to an election for the following office due to insufficient nominations in E2014/127:

Branch Delegate to Federal Council (1)

[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 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
Civil Service Association of WA

14 October 2014

Community & Public Sector Union
SPSF Group, WA Branch
Civil Service Association of WA Inc

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ORGANISATIONS) ACT 2009

IN THE MATTER OF THE CPSU, the
Community
and Public Sector Union, State Public
Services
Federation Group, Western Australia
Branch

AND

IN THE MATTER OF a request pursuant
to
Section 189 of the Act for conduct of
elections by the Australian Electoral
Commission

STATEMENT BY AUTHORISED OFFICER – REGULATION 138

I, TONI WALKINGTON, being the Branch Secretary of the CPSU, the Community and Public Sector Union, State Public Services Federation Group, Western Australia Branch make the following statement:

I, am the Branch Secretary of the CPSU, the Community and Public Sector Union, State Public Services Federation Group, Western Australia Branch;

I am authorised to lodge the following prescribed information concerning the forthcoming elections in the Western Australian Branch of the Community and Public Sector Union, State Public Services Federation Group; and

I confirm that the following information is being lodged under subsection 189 (1) of the Fair Work (Registered Organisations) Act 2009.

Toni Walkington
Branch Secretary
Community and Public Sector Union, SPSF Group
Western Australia Branch

FAIRWORK (REGISTERED ORGANISATIONS) ACT 2009

FAIRWORK AUSTRALIA

REQUEST PURSUANT TO SECTION 189 TO ARRANGE FOR THE CONDUCT OF ELECTIONS BY THE AUSTRALIAN ELECTORAL COMMISSION

PRESCRIBED INFORMATION

The following information is lodged in accordance with section 189 of the Act.

1. OFFICES

An election is required for the following office of the Community and Public Sector Union, SPSF Group, WA Branch:

(a) Part 1 – One Branch Delegate to Federal Council

Rule 25 A of the CPSU SPSF Group Rules Chapter C provides that five (5) Delegates to CPSU SPSF Group Federal Council be elected from the Western Australian Branch.

On 24 July 2014, the AEC declared the election result for four (4) Branch Delegates to Federal Council [Part 1 E2014/E127]. No election occurred for the fifth position due to the lack of nominees.

On 25 September 2014, the Branch advised the Commission of its opinion that the fifth position did not appear to have the character of a casual vacancy, pursuant to rule 56, CPSU; Chapter C – SPSF Group Rules. In consequence, the Union contended a full election process was required to fill the position. Mr Mark Elliot, an official of the Commission, subsequently verbally confirmed this requirement.

2. REASONS FOR ELECTIONS

The reason for these elections is that as follows:

(a) Part 1 – Branch Delegates to Federal Council

Rule 54B A of the CPSU SPSF Group Rules Chapter C provides that each Branch shall elect delegates to Federal Council two-yearly by secret ballot of the members of Branch Council.

The current term of the unfilled office expired in 2014.

3. ELECTED BY

(a) Part 1 – Branch Delegates to Federal Council

Rule 54B A of the CPSU SPSF Group Rules Chapter C provides the electorate for the collegiate electoral system is by and from the whole of the Branch Council.

4. NOMINATIONS OPEN

The system for voting for each of the offices is as follows:

(a) Part 1 – Branch Delegates to Federal Council

Rule 54B C of the CPSU, the Community and Public Sector Union; Chapter C – SPSF Group Rules nominations for elections shall be called by notification of all members of Branch Council with at least 14 days notice.

Rule 54B B of the CPSU, the Community and Public Sector Union; Chapter C – SPSF Group Rules provides that these elections are to be conducted so that the results are declared not earlier than 1st of June and not later than 25th August in each even numbered year.

It is apparent, due to the circumstances of this proposed election, that the result cannot be declared between 1st of June and not later than 25th August 2014. The results of the other four positions were declared within the required time frame. The Union respectfully seeks the Commissions' permission to waive the need to meet this time frame.

5. NOMINATIONS CLOSE

(a) Part 1 – Branch Delegates to Federal Council

Rule 54B E of the CPSU, the Community and Public Sector Union; Chapter C – SPSF Group provides that nominations close at 6pm on the first day of each Branch Council meeting at which an election is necessary.

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