



11 June, 2019

The Manager  
Industrial & Commercial Elections  
NSW State Office  
Australian Electoral Commission  
Level 10  
59 Goulburn Street  
Haymarket NSW 2000

Dear Sir/Madam,

Re: E2018/210 Post Election Report.

I write in relation to the Post Election Report (**Report**) issued by your Returning Officer, Mr Anthony Carey on 31 May 2019.

This letter is provided in response to that Report in accordance with our obligations under s.198 of the *Fair Work (Registered Organisations) Act 2009*.

The Report identified some difficulty in the application/interpretation of Rule 6A.10, particularly the fact that the reference in rule 6A.10 to 'financial members of the Division' had to be read in conjunction with Rule 49.8 of Appendix 1 which led to separate voter rolls being required (due to the electorate for other direct elections under Rule 6A.2(b) being based on the state where members reside).

We note and appreciate the concerns you have raised in relation to 6A.10 and its interaction with Rule 49.8 of Appendix 1 and Rule 6A.2. However, considering Rule 6A.10 is transitional and will not have effect beyond this election, we do not propose to take any action in response to the issue identified.

The Report also identified issues in relation to the application/interpretation of Rule 6A.9(b), noting that the second sentence and following paragraph appear to be unnecessary. We appreciate the concern you have raised in relation to this Rule. The action that we propose to take is to refer this matter through to our governing bodies for further advice and consideration.

Should you have any queries on this matter, please contact our National Executive Officer, Mr. Peter Cozens in this office in the first instance.

Yours sincerely,

  
PAUL BASTIAN  
NATIONAL SECRETARY

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