

7 June 2017

# Post-election Report

**CPSU, the Community and Public Sector Union, SPSF  
Group Western Australian Branch E2017/57**

# Contents

Election(s) Covered in this Report.....	3
Rules .....	3
Roll of Voters .....	5
Irregularities .....	5
Other Matters.....	6
Attachments .....	6

# Election(s) Covered in this Report

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Election Decision No/s: E2017/57

## Rules

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Rules used for the election: 090V: Incorporates alterations of 29/04/2016 [D2015/58] Replaces rulebook dated 11/12/15 [R2015/231], [090V-SPSF: Incorporates alterations of 23/12/2015 (R2015/253) Replaces rulebook dated 11/12/2015 (R2015/231)] and [090V-WAS: Incorporates alterations of 28/07/2011 (R2011/132)] *replaces rulebook dated 9/11/06*

Rules difficult to apply/interpret:

Rules difficult to apply/interpret: **Roll of Voters**

- CPSU-SPSF Chapter C Group Rule 17.2 (e) states: fix the date for the closure of the roll of voters by specifying a day which shall be no earlier than 30 days, and no later than seven days, **after** the date fixed for the opening of nominations.
- CPSU-SPSF Chapter C Group Rule 25.1 (c) states: Close of Roll Day shall be a day which is no earlier than 30 days and no later than 7 days **before** the day on which nominations for the election open.

Section 143(3) of the *Fair Work (Registered Organisations) Act 2009* states:

The day provided for in the rules of an [organisation](#) as the day on which the roll of voters is to be closed (see paragraph (1)(e)) must be a day no earlier than 30 days, and no later than 7 days, **before** the day on which nominations for the election open.

It is recommended that CPSU-SPSF Chapter C Group Rule 17.2 (e) be amended to comply with Section 143(3) of the *Fair Work (Registered Organisations) Act 2009*.

## Candidate Statements

- WA Branch Rule 1 states:

These rules are in addition to the federal rules of CPSU, the Community and Public Sector Union and shall apply to the Western Australian Branch so far as they are not in conflict with the federal rules.

- WA Branch Rule 33.1 states in part:

Every election required by these rules shall be conducted in accordance with Chapter C the Federal Rules.

- WA Branch Rule 33.2 states:

Branch policy may provide for candidates' information of a prescribed form to accompany ballot papers issued in the conduct of a Branch election.

- CPSU-SPSF Chapter C Group Rule 28 Provides for Candidate States.

WA Branch Rule 33.2 becomes redundant due to the application of WA Branch Rules 1 and 33.1 and CPSU-SPSF Chapter C Group Rule 28.

## Multiple Nominations

WA Branch Rule 9.3 states:

Proxy Branch Councillors shall perform the duties and exercise the powers of Councillors during the Councillors' absence, unavailability or when a position of Councillor is vacant. Should there be more than one position of Proxy Branch Councillor within an Electorate, the allocation of proxies shall be by rotation.

CPSU-SPSF Chapter C Group Rule 28 covers Multiple Nomination but make no provision regarding nominations received simultaneously for Proxy Branch Councillor and Branch Councillor.

WA Branch Rule 9.3 makes it clear that a person cannot hold both the office of Branch Councillor and Proxy Branch Councillor.

It is recommended that CPSU-SPSF Chapter C Group Rule 28 be amended to include Proxy Branch Councillor.

Module Rule reference (if any) Nil

## Roll of Voters

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Total number of voters on the Roll:	13627
Number of apparent workplace addresses:	0
Number of non-current addresses:	46
Other matters pertaining to the roll of voters:	Nil

## Irregularities

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

Other irregularities identified, and action taken: Nil

## Other Matters

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Nil

## Attachments

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- 1) Declaration of results for Uncontested Offices
- 2) Declaration of Results for Contested Offices

Simon Bulloch  
Returning Officer

7 June 2017