



Electrical Trades Union of Australia

Proud to be Union

10 February 2016

Assistant Elections Manager
Ms Deanne Tully
Central Divisional Team
Adelaide Metro Office - Australian Electoral Commission
60 Light Square, Adelaide SA 5000

By email: Deanne.Tully@aec.gov.au

Dear Ms Tully

Re: E2015/217 CEPU Electrical, Energy & Services Division – Election of Officers

I refer to the above and to your correspondence of 30 November 2015. In particular, I refer to your identification of rule 15.5.1 of the Section B rules as difficult to interpret or apply, stating:

*“No provision in these rules for method of “secret ballot” at Divisional Conference.
15.14 “Conduct of Elections” stipulates rules of “secret postal ballot” only which would not occur in this case.”*

For the reasons detailed below, the CEPU requests further particulars of this issue.

The identified rule, Rule 15.5.1, concerns the election of Divisional Councillors. The election the subject of E2015/217 was an election for Divisional President, Vice Presidents and the other Divisional Branch representatives on Divisional Executive. The rules of the Union detail the process for these election, including relevantly Rule 15.5.2 and Rule 15.5.3, which provide;

“15.5.2 The Divisional President and Vice Presidents shall be elected by secret ballot at each Divisional Conference by the elected delegates to Conference. The members of the Divisional Executive shall hold office until the day prior to the day upon which the next Divisional Conference is convened.

15.5.3 The Divisional Branch Representatives on the Divisional Executive shall be elected by secret ballot by the elected delegates representing their Branch at Conference.”

(emphasis added)

Accordingly, the rules of the Union prescribe that the elections of the Divisional President, Divisional Vice President and Divisional Executive members – and thus the election the subject of E2015/217 - occurs by “secret ballot” and not “secret postal ballot”.

Which is to say:


- A. rule 15.5.1 has no application to the elections in E2015/217; and
- B. the CEPU does not perceive any ambiguity in the rules concerning the elections of the various positions.

Given the above, I respectfully request that you review this matter and:

1. advise whether the AEC maintains its position in connection with rule 15.5.1; and
2. if so, particularise the basis of this position.

If you have any questions regarding the above please contact myself or Annette Moran on 02 9663 3699.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'AL AL'.

Allen Hicks

National Secretary, Electrical, Energy & Services Division