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Industrial & Commercial Elections | NSW State Office
Australian Electoral Commission
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E2019/62 - PER for CEPU Electrical, Energy & Services Division

I refer to the above election and your written report regarding the above election.

Section 198(1) of the *Fair Work (Registered Organisations) Act 2009* (“the Act”) requires that if an organisation is given a Post-Election Report under s.197 of the Act that identifies a rule that was difficult to interpret or apply, the organisation must give a written response to the Australian Electoral Commission (AEC) on that aspect of the report. Section 198(2) requires that the response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take.

In the PER for elections in the Electrical, Energy and Services Division (the Division), E2019/62, the AEC identified the following rules as difficult to interpret or apply:

The rules regarding the election of one Affirmative Action (Women) Divisional Councillor are difficult to apply. This is a new office and the election is collegiate from amongst the 6 Branch Affirmative Action (Women) Councillors. However, it is postal and must be completed after the direct election (Stage 1) but before the collegiate election which is via attendance at the Divisional Conference. The Union may want to consider doing this election at the same time as the collegiate election via an attendance ballot, as the time frame between all Stage 1 direct branch elections being completed (if contested) and Stage 2 election is too tight. Rules 7.3.4, 15.5A, 15.17.3 and 15.18 refer.”

Accordingly, the Division advises that it intends to consider the issues raised by the AEC with respect to the timing of the election of the Affirmative Action (Women) Divisional Councillor and will advise the AEC of the outcome as soon as possible.

Further, as required by s.198, the organisation has made available to members that part of the PER dealing with the difficult rule/s and the organisation’s response to it.

Yours sincerely

A handwritten signature in black ink, appearing to read 'AL AL', is written over a white rectangular area.

Allen Hicks
Divisional Secretary