

Thursday, 20 December 2018

Christine Cox  
Australian Electoral Commission

By Email: [Christine.Cox@aec.gov.au](mailto:Christine.Cox@aec.gov.au)

Dear Ms Cox

**RE: E2018/46 Post-Election Report**

In accordance with s197 of the Fair Work (Registered Organisations) Act the AEC provided the HSU a post-election report into its quadrennial branch and national officer elections which was received by the organisation on 22 November 2018.

The report identified some difficulty interpreting the provisions of 23A(e)(1) [presumably 23A(e)(i) as there is no 23A(e)(1)] for the purposes of identifying the relevant WA branch officers.

The HSU proposes to review the national rules with a view to clarifying the ability of branches to determine, who for their purposes, will be paid officials of the specified branch. The HSU notes there are currently different and, in some cases, specified variations between branches in relation to paid officer positions; as well as differences in implementation. These should all be clear within our rules.

The AEC report identified the interaction between a number of rules that affect the time required to conduct the elections; commencing with the requirement in 23A(d)(iv). The subsequent timing requirements under 23A required a very lengthy election time frame for contested elections. This had a flow on effect to the time available for the conduct of the national officer elections under 23B.

HSU will undertake a re-examination of all the rules under **23A Branch Elections** and **23B National Officer Elections**, which impact on the timing of, and the time to, conduct the elections with a view to proposing modified rules to correct the defects at least 2 years before the organisation's next quadrennial election cycle. The HSU intends to review these rules during the next 12 months.

The AEC identified some concerns, which were rectified at the time, arising from the required updates to the roll of voters in the SA/NT branch and over resigned versus unfinancial members. The HSU is unclear whether there was confusion arising from the rules or the intersection with the rules and the Roll Listing Timetable and seeks additional clarification about whether there is action required under the rules.

The HSU will seek to amend [remove] rule 23(A)(d)(ixx) requiring the AEC to receipt mail collection from Australia Post, given these processes are not available through the post office.



The HSU notes the advice of the AEC about the consequences of the requirement to name declared elected [uncontested] candidates on the ballot paper in the NSW branch elections where a single position was contested. The HSU will also consider this information when reviewing the rules.

If you require additional information or have further questions, please contact Leigh Svendsen at [leighs@hsu.net.au](mailto:leighs@hsu.net.au) or on 0418 538989

Yours sincerely,



Lloyd Williams  
**National Secretary**

cc **Registered Organisations Commission**

