

28 March 2019

Post-election report

United Firefighters' Union of Australia
Scheduled election
E2018/203

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Election(s) Covered in this Report

Organisation: United Firefighters' Union of Australia
Election: Scheduled
Election Decision No/s: E2018/203

Rules

Rules used for the election: 259V: Incorporates alterations of 08/03/2018
Rules difficult to apply/interpret: Rule 23 (8) and Rule 23 (11) (refer *Other Matters*, below)
Model Rule reference (if any): N/A
For more details see the Model Rules on the AEC website:
(https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections)

Roll of Voters

As there were no contested offices, no Roll of Voters was required.

Irregularities

Details of written allegations of irregularities, and action taken by AEC: N/A

Other irregularities identified, and action taken: N/A

Other Matters

Returning Officer actions required (Section 193): Nil
Details:

While it was not necessary to apply Section 193 to this election, in the planning for the election the Returning Officer identified that the rules governing this election may need to be amended.

Specifically, the Returning Officer would be unable to comply with both Rule 23 (8) and Rule 23 (11) in the event that the election was to proceed to a ballot for either or both of the National Secretary and National President positions. (I note that this did not occur for E2018/213 as one nomination was received for each vacant position).

Rule 23 (8) states:

The ballot for National Officer Positions shall close at 5 p.m. on the first day of the National Committee of Management Election Meeting

Rule 23 (11) states:

The National Returning Officer shall declare to the National Committee of Management Election Meeting the result of the ballot as soon as the count is completed.....

I understand that, historically, the National Committee of Management Election Meeting was conducted as a face to face meeting held over multiple days. However the meeting is now held as a teleconference during business hours and on one day only.

If this is correct, it would not be possible to close the ballot at 5pm (as per rule 23 (8)) and declare the result of the ballot at the meeting (as per Rule 23 (11)).

An amendment to Rule 23(8) may be required. One approach could be to amend this rule to enable the Returning Officer to close the ballot on at least one (and preferably two) business days before the National Committee of Management Election Meeting.

Signed



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28 March 2019

Attachments

A. United Firefighters' Union of Australia – Declaration of Results – E2018-203

United Firefighters' Union of Australia
DECLARATION OF RESULTS - E2018/203
Uncontested Offices

Scheduled Election

The results of the election for the following offices conducted in accordance with the provisions of the *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation are:

National Secretary (1)

Candidates

MARSHALL Peter

National President (1)

Candidates

MCCONVILLE Greg

As the number of nominations accepted did not exceed the number of positions to be filled, I declare the above candidates elected.



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Returning Officer
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12/03/2019

