

10 January 2020

# Post-election report

**Independent Education Union of  
Australia**

**NSW/ACT Branch- Scheduled election  
E2018/283**

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# Election(s) Covered in this Report

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Organisation: Independent Education Union of Australia- NSW/ACT Branch  
Election: Scheduled  
Election Decision No/s: E2018/283

## Rules

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Rules used for the election: [130N: Incorporates alterations of 14 May 2018] [R2018/45] (replaces rulebook dated 12 April 2018 [R2017/253 and R2017/293])

Rules difficult to apply/interpret: Federal Rule 17(s) is difficult to apply. The rule requires that the Returning Officer shall collect the returned ballot papers from the post office box and deposit them in a ballot box kept at the post office until the commencement of the count of the ballot. The AEC is unable to secure a ballot box located in a post office. Therefore the Returning Officer, after collecting the returned ballot papers from the post office, keeps them in a secured area inside the AEC premises. It is recommended that the Rules incorporate the AEC's Model Rules Guide (refer to paragraphs 16 & 17).

Federal Rule 17(t), requires the count to be conducted at the 'registered office'. Counting of ballot papers are conducted at AEC offices to ensure security of all ballot materials and to facilitate use of AEC systems, it is recommended that the Rules be amended so that the count is conducted at AEC premises. Further, 'opened in the presence of the Scrutineers and counting shall then proceed' is not always practicable as not all appointed scrutineers may be present. It is suggested that the Returning Officer will commence the count at the allotted time as soon as the ballot closes in the presence of the scrutineers who are in attendance.

Model Rule reference (if any): Refer to AEC Model Rules Guide as indicated above.

For more details see the Model Rules on the AEC website:  
([https://www.aec.gov.au/About\\_AEC/AEC\\_Services/Industrial\\_Elections](https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections))

## Roll of Voters

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### Stage - 1

Total number of voters on the Roll: 29533  
Number of apparent workplace addresses: 114  
Number of non-current addresses: 160

Other matters pertaining to the roll of voters: Stage – 2	N/A
Total number of voters on the Roll:	22
Number of apparent workplace addresses:	Nil
Number of non-current addresses:	Nil
Other matters pertaining to the roll of voters:	None

## Irregularities

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Details of written allegations of irregularities,  
and action taken by AEC: None

Other irregularities identified, and action taken: None

## Other Matters

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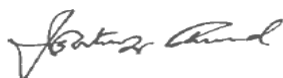
Returning Officer actions required (Section 193): Yes

Details:

1. As there is no rule pertaining to the withdrawal of Nomination, the Returning Officer has applied Section 193(1) (b) of the Fair Work (Registered Organisation) Act 2009 to fix a closing time for the withdrawal of nomination related to this election.
2. Federal rule 17 (t) is difficult to apply as it states that the ballot box will be opened by the Returning Officer in the presence of Scrutineers. The Returning Officer has applied Section 193(1) (b) of the Fair Work (Registered Organisation) Act 2009 and opened the ballot box for counting the ballot papers in the presence of scrutineers in attendance at the time fixed for the scrutiny.

## Signed

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10 January 2020

# Attachments

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- A. Declaration of Results for Contested and Uncontested Offices – Stage 1
- B. Declaration of Results for Uncontested Offices – Stage 2
- C. Declaration of Results for Contested Offices – Stage 2