

26 August 2022

# Post-election report

Construction, Forestry, Maritime, Mining  
and Energy Union  
Scheduled election  
E2022/76

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# Election(s) Covered in this Report

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Organisation: Construction, Forestry, Maritime, Mining and Energy Union  
Election: Scheduled  
Election Decision No/s: E2022/76

## Rules

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Rules used for the election: [105N-FED: Incorporates alterations of 17 March 2022] [R2021/98]  
(replaces rulebook dated 24 July 2019 [R2019/89])

Rules difficult to apply/interpret: Yes  
the number of nominators is difficult to interpret in the organisation rules for the new position of Senior Vice President.

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website: [www.aec.gov.au/ieb/](http://www.aec.gov.au/ieb/)

## Other Matters

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Returning Officer actions required (Section 193): Yes

Details:

- Rules regarding the timetable of the election were set aside as the AEC held concerns that the coronavirus pandemic may impact on the ability for stakeholders to fully participate in the election. A timetable for the conduct of the ballot which varied from the rules was set when the AEC was satisfied that stakeholders would be able to fully participate.
- The organisations rules with regards the requirement for nominator(s) and the number of nominators for the office of National Senior President are unclear, as such I have exercised s193 to determine that candidates will self-nominate.

## Signed

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Ann Dougan  
Returning Officer  
Australian Electoral Commission  
E: [IEBevents@aec.gov.au](mailto:IEBevents@aec.gov.au)  
P: 03 9285 7111  
26 August 2022

# Attachments

## A. Declaration of results for Uncontested Offices

# CFMMEU

CONSTRUCTION FORESTRY  
MARITIME MINING & ENERGY UNION

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31 August 2022

Ann Dougan  
Acting Senior Project Officer  
Industrial Elections and Ballots  
Australian Electoral Commission

via email: [industrial.elections@aec.gov.au](mailto:industrial.elections@aec.gov.au)

Dear Ms Dougan,

## **Response to Post Election Report E2022/76**

Thankyou for providing the post election report for the recent election E2022/76 for the office of National Senior Vice President.

In your report you identify an area of our rules that was difficult to interpret. Specifically, you identify that the rules are unclear on the number of nominators required to nominate a candidate for the office of National Senior Vice President.

As you may be aware, scheduled elections for all National Officer positions (including the office of National Senior Vice President) will be conducted later this year.

I can advise that upon completion of these scheduled elections, the union will seek advice on amending the rules to clarify any ambiguity in relation to the number of nominators required to nominate a candidate for a National Officer position.

A copy of the post election report has been uploaded to the union's website, as well as a copy of this response, in accordance with section 198 (3) of the *Fair Work (Registered Organisations) Act 2009*.

Yours Sincerely,



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Chris Cain – National Secretary