

# CFMEU

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10 February 2016

Ms Renee Damasena  
Assistant Director  
Industrial and Commercial Elections  
Australian Electoral Commission  
Level 10  
59 Goulburn Street  
SYDNEY NSW 2000

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

Dear Ms Damasena

RE: POST-ELECTION REPORT - E2016/153 CFMEU FFPD – SCHEDULED ELECTION

Thank you for your correspondence of 12 January 2017 issuing the AEC's post-election report.

I address below the union's response to the matters raised in the report on rules that were difficult to apply or interpret.

1. Rule 32 (c) (i):  
The union agrees that this rule could allow more flexibility for how the membership is notified when a nomination period opens. The union proposes to alter this part of the rule to update the means of communication to such as electronic means as bulletin by email or SMS message alerts.
2. Rule 32 (c) (ii):  
The union agrees that this rule could simplify and make more flexible the means by which a member can obtain a nomination form and the means by which the form is dispatched to the Returning Officer. The union proposes to alter this part of the rule so that there is no specific way that a nomination form must be lodged, so long as the due date and time restrictions are met, including allowing electronic means of lodgment.
3. Rule 32 (c) (xi):  
The union agrees and proposes to alter this part of the rule to accord with Regulation 131 (3).

**Stand up. Speak out. Come home.**

**Construction, Forestry, Mining & Energy Union – Forestry, Furnishing, Building Products & Manufacturing Division**



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4. Rule 32 (c) (xii) and (xiv):  
The union agrees that these rules cannot account for delays, changes or inadequacies in a postal delivery system. The union proposes to alter this part of the rule to allow a longer ballot period.
5. Rule 32 (c) (xix):  
This rule could provide greater flexibility in how a successful candidate is notified and could make mention of electronic means such as email. The union proposes to alter this part of the rule to allow for this update to methods of communication.
6. Rule 42 – Special Rule – the Pulp and Paper Workers District – 19 (a) and (b)  
The union notes the AEC’s comment and the suggested wording for an alteration to this rule. The union will give consideration to the AEC’s recommendation in our review of the application of this rule.

As required by Section 198 of the *Fair Work (Registered Organisations) Act 2009* and Regulation 141, the AEC’s post-election report and our response herein is available to the union’s membership.

Yours sincerely



Michael O'Connor  
**NATIONAL SECRETARY, CFMEU FFPD**