

5 December 2022

Post-election report

The Master Builders' Association of New
South Wales
Scheduled and Insufficient Nominations
Election
E2021/91

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Election(s) Covered in this Report

Organisation: Master Builders' Association of New South Wales, The
Election: Insufficient Nominations
Election Decision No/s: E2021/91

Rules

Rules used for the election: [070N: Incorporates alterations of 24 June 2019 R2019/28]
Replaces rulebook dated 13/01/2014 [R2013/96]

Rules difficult to apply/interpret: Nil

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website: www.aec.gov.au/ieb/

Other Matters

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.
- In spite of the rules of the organisation, nominations were lodged via email/ AEC portal to ensure that no irregularities occurred as a result of the restrictions imposed by the Coronavirus pandemic and current Australia Post delivery times.
- The Rules do not allow sufficient time between the closing date for nominations and the opening of the ballot taking into account withdrawal of nominations, rectifying defects, preparation of ballot papers and biographies and postage times. Therefore, the period between close of nominations and posting ballot material was 21 days in Stage 2.
- Rules 14.7.1 and 14.7.2 regarding the withdrawal of nominations were difficult to apply as they contradict each other – therefore direction was given to apply Rule 14.7.2 and allow 7 days after the close of nominations for the withdrawal of nominations.
- Rule 14.25 of the Organisation could not be followed in regard to filling the vacant positions for which no nominations were received in the election of councillors at the stage 2, as the Covid issue may still have affected the capacity of the members to attend the Annual Meeting. Therefore, the Returning Officer called for nominations by email. As nominations could not be opened and closed at the Annual Meeting of the organisation, the nomination period was opened for at least 15 days.

Signed

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5 December 2022

Attachments

Please attach to the email issuing the Post-election report **ALL** applicable declarations and ensure they are listed in Attachments section below.

- 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
- D. Declaration of Results for Contested and Uncontested Offices – Insufficient Nominations