



New South Wales Teachers Federation

a branch of the Australian Education Union
AEU NSW Teachers Federation Branch ABN 86 600 150 697



8 December 2025

In reply please quote:GS0938/2025/MLS/md

Australian Electoral Commission
Taylah Grillo
Returning Officer

Email: IEBevents@aec.gov.au

Dear Taylah

Re: E2025/125 Response to difficult rule to interpret or apply

I write in response to the Australian Electoral Commission's (AEC) correspondence dated 19/11/2025, identifying one (1) rule that was difficult to interpret or apply during the conduct of the recent election (E2025/125 & E2025/132).

The AEC advised that the following rule presented operational difficulty:

AEU NSWTF Branch Rule 31(4)(b)

"Such withdrawal of nomination shall be by notice in writing to the Returning Officer signed by the nominee and submitted by hand, post or facsimile or any other electronic means."

The reason identified by the AEC was that the rule provides that a withdrawal of nomination may be submitted by facsimile. The AEC no longer has the capacity to receive facsimile communications. The AEC advised that withdrawals of nomination can only be accepted by hand, post, or email.

The AEU NSW Teachers Federation (Federation) acknowledges the difficulty identified by the AEC regarding the reference to "facsimile" in Rule 31(4)(b). It is understood that the rule requires updating to reflect contemporary communication methods and the AEC's current operational capabilities.

The Federation will undertake a review of Rule 31(4)(b) with the intention of proposing an amendment consistent with the Fair Work Commission's model rule framework. Specifically, consideration will be given to replacing the reference to "facsimile" with wording that allows for delivery "in a form acceptable to the Returning Officer," thereby aligning with current model provisions and ensuring continued compliance and practicality.

This matter will be progressed through the organisation's internal rule-change processes at the next available opportunity, in accordance with the requirements of the *Fair Work (Registered Organisations) Act 2009* and the Fair Work Commission's registration procedures.

The contact for this matter is Mel Smith, Deputy Secretary, Operations. Please do not hesitate to contact her on mail@nswtf.org.au or via phone at (02) 9217 2100, if further information is required.

Yours sincerely

Maxine Sharkey
General Secretary