



5 May 2016

Mr Mark Burgess
Chief Executive Officer
Police Federation of Australia

pfa@pfa.org.au

Dear Mr Burgess,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Fair Work Commission (the Commission) a declaration of results for the election [E2015/223]. This letter is a reminder of certain obligations imposed on organisations and persons elected to office.

Section 154D(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires the rules of organisations (and branches of organisations) to require each officer with financial management duties to undertake approved training that covers those duties within 6 months after the person begins to hold office. Please ensure that relevant officers undertake approved training within the required timeframe.

Please also ensure that all new holders of office are advised of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests, the details of which should be provided for in your organisation's rules.

Also, section 233(2) of the RO Act requires that an organisation must notify the Commission **within 35 days of any changes** to the holders of office in the organisation. **If there are no changes a notification is not required.** If the election has resulted in **any changes** to the holders of office, the Police Federation of Australia must notify the Commission of these changes. In particular, please advise:

1. Person(s) who have ceased to hold office:
 - the name of the office vacated;
 - the date of the change of office holder; and
 - the name of the person vacating the office.
2. Person(s) who have commenced to hold office:
 - the name of the office now held;
 - the date of the change of office holder;
 - the name of the person now holding the office;
 - the postal address of the person (generally the postal address of the organisation); and
 - the occupation of the person now holding the office.

The notification must include a declaration by the Secretary (or other prescribed officer) that the information is a correct statement of the changes made. I have attached a template notification of changes which may assist you. If any change does not apply until a specific date, you don't need to notify until then (e.g. AGM, 1 January, 2nd Monday in March). If you have already lodged this information, please disregard this reminder.

Regards

Debbie Ball
Regulatory Compliance Branch

**NOTIFICATION OF CHANGES TO RECORDS (Changes to Records in the Annual Return)
required to be kept in accordance with section 230 *Fair Work (Registered Organisations)
Act 2009* and regulation 147 *Fair Work (Registered Organisations) Regulations 2009***

I, [NAME], being the [OFFICER] of the [ORGANISATION NAME], declare the following:

1. I am authorised to make this declaration.
2. The following is a correct statement of the changes made to the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the *Fair Work (Registered Organisations) Act 2009*:

[delete all that do not apply]

- On [DATE] the address of the organisation changed to [STREET ADDRESS].¹
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:²
 1. [include OLD name and address and NEW name and address of every branch that has changed]
 2. ...
- A list of changes to offices and the names, postal addresses and occupations of persons holding those offices is attached to this declaration at Annexure A and forms part of this declaration.
- On [DATE] the following branch[es]:³
 - COMMENCED/CEASED operation:
 1. [include name of each new branch]
 2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within 35 days of the change. It can be submitted to orgs@fwc.gov.au.]

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a) & (d)

³ s.230(1)(d); reg.147(b) & (c)

ANNEXURE A

- Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:

Please note the 35 days begins at the earliest event (for instance when the officer retires) and an organisation may need to notify the events separately if the appointment or election process will take longer than 35 days.

| Branch | Date of Change | Name of Office that has changed | Name of <u>Outgoing</u> Office Holder | Reason for change | Name of <u>New</u> Office Holder | Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address) | Occupation of <u>New</u> Office Holder |
|-----------------|---|---------------------------------------|---------------------------------------|---------------------------|----------------------------------|--|--|
| <i>National</i> | <i>1.1.2014</i> | <i>Secretary</i> | <i>Full Name</i> | <i>Retiring</i> | <i>Full Name</i> | <i>c/- the Registered Organisation, postal address of Registered Organisation</i> | <i>Paid official</i> |
| | <i>25.12.2013</i> | <i>President</i> | <i>vacant</i> | <i>Scheduled Election</i> | <i>Full Name</i> | <i>As above</i> | <i>mechanic</i> |
| ... | | | | | | | |
| <i>NSW</i> | <i>1.1.2014 (resigned) 7.1.2014 (appointed)</i> | <i>President</i> | <i>Full Name</i> | <i>Resignation</i> | <i>Full Name</i> | <i>c/- the Branch, postal address of the Branch</i> | <i>mechanic</i> |
| | | <i>Committee of Management Member</i> | <i>Full Name</i> | <i>Scheduled Election</i> | <i>Full Name</i> | <i>As above</i> | <i>mechanic</i> |
| | | <i>Treasurer</i> | <i>Full Name</i> | <i>Scheduled Election</i> | <i>vacant</i> | <i>vacant</i> | <i>vacant</i> |
| ... | | | | | | | |

Fair Work (Registered Organisations) Act 2009

RETURNING OFFICER - POST ELECTION REPORT

Client: Police Federation of Australia

Contact details: Mark Burgess
Chief Executive Officer
Police Federation of Australia
Level 1 / 21 Murray Crescent
Griffith ACT 2603

Email: mark@pfa.org.au
Tel: 02 6239 8900

FWC contact officer: Catherine Bebbington

Email: orgs@fwc.gov.au
Tel:

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2015/223

Election: Federal Executive

Returning Officer: Michael Horwood

RULES

Rules used for elections Rule ID: 200V: Incorporates alterations of 19/08/2015 [R2015/180]

ROLL OF VOTERS

| | |
|---|-----------|
| Total number of voters on the roll | 36 |
| Number of private addresses | 0 |
| Number of apparent workplace addresses | 36 |
| Number of non-current addresses | 3 |
| Returned unclaimed | 3 |

NOTE: No ballots were required.

OTHER MATTERS PERTAINING TO ROLL OF VOTERS

The postal address details recorded by the PFA are exclusively the addresses of the Federation's offices in each Capital City. One of these had changed, so notices were emailed to those members whose mail was returned unclaimed.

ALLEGATIONS OF IRREGULARITIES RECEIVED

There were no written complaints or allegations of irregularities.

ATTACHMENTS

A Declaration of Results for Uncontested Offices

Michael Horwood
Returning Officer

16 December 2015

Police Federation of Australia

Federal Office Holders E2015/223

Declaration of Results for Uncontested Offices

E2015/223

Below are the results of the election for the following offices, conducted in accordance with the provisions of the *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation.

Federal Council

Federal Executive Members (8)

Candidates

ALLEN, Patrick
CARROLL, Mark John
LAIRD, John Campbell
LEAVERS, Ian John
MCCUE, Paul
SMITH, Angela Louise
TILBURY, George
WEBER, Scott

Federal Executive

Federal President

Candidates

CARROLL, Mark John

Federal Vice Presidents (2)

Candidates

LEAVERS, Ian John
WEBER, Scott

Federal Treasurer

Candidates

LAIRD, John Campbell

As the number of nominations accepted did not exceed the number of positions to be filled, I declare the above candidates elected.



Michael Horwood
Returning Officer

17 November 2015



DECISION

Fair Work (Registered Organisations) Act 2009
s.189—Arrangement for conduct of an election

Police Federation of Australia
(E2015/223)

MR ENRIGHT

MELBOURNE, 8 SEPTEMBER 2015

Arrangement for conduct of election.

[1] On 18 August 2015, the Police Federation of Australia lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Federal Executive Members (8)

Federal President
Federal Vice President (2)
Federal Treasurer

[2] I am satisfied that an election for the abovenamed offices is required to be held under the rules of the organisation and, under subsection 189(3) of the *Fair Work (Registered Organisations) Act 2009*, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



DELEGATE OF THE GENERAL MANAGER

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Police Federation of Australia

The National Voice of Policing

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GRIFFITH ACT 2603

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Fax: (02) 6239 8999

18 August 2015

Mark Elliott
Tribunal Services and Organisations
Fair Work Commission
GPO Box 1994
MELBOURNE VIC 3001

Dear Mark

RE: Elections under S.189 of the Fair Work (Registered Organisations) Act 2009

I seek arrangements to be made for the conduct of elections for the following officers:

| | |
|---------------------------|-----|
| Federal Executive members | (8) |
| Federal President | (1) |
| Federal Vice Presidents | (2) |
| Federal Treasurer | (1) |

I attach a statement, signed by an officer of the organisation, providing the information required under s.189 of the Fair Work (Registered Organisations) Act 2009.

Please note that the Police Federation of Australia (PFA) 2015 Annual Federal Council meeting will be held on 16 and 17 November 2015 at RACV Hobart Apartment Hotel, Hobart, Tasmania.

I look forward to hearing from you soon.

Yours sincerely

A handwritten signature in black ink that reads "MA Burgess". The letters are cursive and fluid, with the first name "MA" and the last name "Burgess" written in a single continuous style.

Mark Burgess
Chief Executive Officer



**Police Federation
of Australia**
The National Voice of Policing

**PRESCRIBED INFORMATION IN RESPECT OF ELECTION
– S.189 of the Fair Work (Registered Organisations) Act 2009**

I am an officer of the Police Federation of Australia and am authorised to sign this statement, which is lodged in accordance with s.189 of the Fair Work (Registered Organisations) Act 2009.

1. The office in respect of which the elections are required are:

The election of Federal Office holders –
 - a) The election of eight (8) Federal Executive Members as per Rule 20 (a) (i) by and from members of the Federal Council as outlined in Rule 14
 - b) The election of Federal President, two (2) Federal Vice Presidents and Federal Treasurer as per Rule 20 (a) (ii)
2. The reason for which the elections are required is that the Federal Council will meet in Hobart on 16th and 17th November 2015 as per resolution of the 2014 Council Meeting and the terms of office will expire at that meeting.
3. The electorate for the elections are:
 - a) For the Federal Executive the electorate is the Federal Council as per Rule 20 (a) (i);
 - b) For the Federal President, Federal Vice Presidents and Federal Treasurer the electorate is the Federal Executive as per Rule 20 (a) (ii).
4. The date and time that nominations open and close are at the commencement of the afternoon session on the second day of the Council meeting as per Rule 21 (c) (i) (ie. 17th November).
5. The voting system to be used in the conduct of the elections is the collegiate voting system.

Mark Carroll
President, Police Federation of Australia
18 August 2015