



25 September 2019

Vincent Kelly
General Manager, AFPA Branch
Police Federation of Australia-Australian Federal Police Association Branch
Sent via email: vince.kelly@afpa.org.au

cc: Mark Burgess, Police Federation of Australia,
pfa@pfa.org.au

Dear Vincent Kelly,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Registered Organisations Commission (the ROC) a declaration of results for the election of contested and uncontested offices in matter E2019/73. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

A notice must be published on the organisation's website

The organisation or branch must, as soon as practicable after receiving the post-election report, publish on its website a notice that a copy of the report is available from the organisation, branch or the AEC on request. The notice must be kept on the website for a period of at least 3 months (see regulation 141 of the Fair Work (Registered Organisations) Regulations 2009).

Holders of office required to undertake approved training

Section 293K of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires 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 are provided for in the RO Act.

Organisation must notify the Commission of changes

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-Australian Federal Police Association Branch 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. A template notification of changes, which may assist you, is attached. If any change does not apply until a date in the future, you do not 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.

Yours faithfully,

Christine Hibberd
Registered Organisations Commission

24 September 2019

Ms Catherine Bernoth

Returning Officer – Industrial and Commercial Elections NSW State Office
Australian Electoral Commission
Level 10 59 Goulbourn Street
Haymarket NSW 2000

Email: catherine.bernoth@aec.gov.au

Post-Election Report E2019/73

I refer to your post-election report dated 23 September 2019.

I am aware that the AFPA is required to give a written response to the Report within 30 days of receipt of it, in accordance with Section 198 of the Fair Work (Registered Organisations) Act 2009 ('the RO Act').

I will ensure that the Report and this response to that Report will be provided to members by publication on the AFPA website for a minimum period of three months from the date of this letter. Additionally, a copy of the Report and response will be made available to the Registered Organisations Commissioner.

The report raised matters relating to Rule:

- 95(5)(k)(d)

I also note your observation relating to the withdrawal of nominations.

The AFPA is currently reviewing a number of rules and will seek to make appropriate rule amendments pursuant to Rule 101 during the current Financial Year.

Yours Sincerely,



Adrian Smith,
Branch Secretary/Treasurer

23 September 2019

Post-election report

Police Federation of Australia
Australian Federal Police Association Branch
Scheduled election
E2019/73

Contents

Election(s) Covered in this Report.....	3
Rules	3
Roll of Voters	3
Irregularities	3
Other Matters.....	4
Attachments	4

Election(s) Covered in this Report

Organisation: Police Federation of Australia
Australian Federal Police Association Branch
Election Decision Number(s): E2019/73

Rules

Rules used for the election: 200V: Incorporates alterations of 24 May 2019 [R2019/37]
(replaces rulebook dated 8 May 2018 [R2019/26])

Rules difficult to apply/interpret: Rule 95 (5)(k)(d) specifies that Ballot material shall include a copy of each statement submitted by candidates under rule 15. Rule 15 is not relevant to the Australian Federal Police Association Branch (AFPA) as the AFPA Rules commence at Part D – Rule 53. Rule 95(5)(k)(d) has been included in error and is not applicable.

Model Rule reference (if any): N/A
For more details see the Model Rules on the AEC website:
(https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections)

Roll of Voters

There were no contested offices in 9 Declared Elections, no rolls were required for these elections.

Total number of voters on the Roll for the contested elections are as follows:

Community Policing Zone:	778
Canberra Zone	735
Victoria & Tasmania Zone:	450
Western Australia Zone	162

Number of apparent workplace addresses: 335

Number of non-current addresses: Nil

Other matters pertaining to the roll of voters: Nil

Irregularities

Details of written allegations of irregularities, and action taken by AEC: Nil

Other irregularities identified, and action taken: Nil

Other Matters

Returning Officer actions required (Section 193): Yes

Details:

The Rules of the Organisation are silent on the withdrawal of nominations. Instruction was given by the Returning Officer for the withdrawal of nominations to close at the same time as the close of nominations.

Signed



Catherine Bernoth
Returning Officer
Australian Electoral Commission
E: nswelections@aec.gov.au
P: 02 9375 6375

Attachments

- 1) Declaration of results for Contested and Uncontested Offices

Police Federation of Australia
Australian Federal Police Association Branch
DECLARATION OF RESULTS - E2019/73
Contested and Uncontested Offices

Scheduled Election

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 are:

Community Policing Zone

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	778
Number of voters issued with voting material	778
Total number of voters issued with replacement voting material	3
Total number of voting material packs issued	781
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	221
Number of declaration envelopes rejected at preliminary scrutiny (minus)	0
Number of ballot papers returned outside declaration envelopes (minus)	0
COUNT	
Total ballot papers admitted to the count	221
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	41
Voting material packs not returned by voters by closing date of the ballot	519
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	28 %

Zone Convenor (1)

Candidates

THOMPSON, Jane

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

Zone Workplace Delegate (7)

<u>Candidates</u>	<u>Final Votes</u>
GORDON, Troy	210
O'SULLIVAN, Bridget	190
CASTLE, Patrick	186
SMITH, Sue	196
POWER, David	209
HIGGINS, Shaneene (nee Brunton)	180
ROWSWELL, Mark	215
CANFIELD, Simon	154
* THOMPSON, Jane	

Total ballot papers admitted for this office	221
Formal Ballot papers	220
Informal Ballot papers	1

I declare the following elected:

- GORDON, Troy
- HIGGINS, Shaneene (nee Brunton)
- O'SULLIVAN, Bridget
- CASTLE, Patrick
- ROWSWELL, Mark
- SMITH, Sue
- POWER, David

**THOMPSON, Jane was no longer eligible due to being elected to a higher position.*

Canberra Zone

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	735
Number of voters issued with voting material	735
Total number of voters issued with replacement voting material	0
Total number of voting material packs issued	735
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	126
Number of declaration envelopes rejected at preliminary scrutiny (minus)	3
Number of ballot papers returned outside declaration envelopes (minus)	0
COUNT	
Total ballot papers admitted to the count	123
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	30
Voting material packs not returned by voters by closing date of the ballot	579
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	17 %

Zone Convenor (1)

<u>Candidates</u>	<u>Final Votes</u>
DAVIES, Eric	34
HESS, Martin	52
TONGE, Mathew	35

Total ballot papers admitted for this office	123
Formal Ballot papers	121
Informal Ballot papers	2

I declare the following elected:

- HESS, Martin

Zone Workplace Delegate (7)

Candidates

DAVIES, Eric
HOULIHAN, Luke
TONGE, Mathew

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

**HESS, Martin nominated but was no longer eligible due to being elected to a higher position.*

Executive & International Zone

Zone Convenor (1)

Candidates

TRAVERS, Mick

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

Zone Workplace Delegate (2)

Candidates

* TRAVERS, Mick
No Nominations Accepted

**TRAVERS, Mick was not eligible as he was elected to a higher position.*

Forensics Zone

Zone Convenor (1)

Candidates

SCHWARTZ, Joshua

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

Zone Workplace Delegate (1)

Candidates

GREEN, Jodie

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

Protective Service Officers Zone

Zone Convenor (1)

Candidates

MARRIOTT, Simon

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

Zone Workplace Delegate (3)

Candidates

*MARRIOTT, Simon
No Nominations Accepted

**MARRIOTT, Simon was not eligible as he was elected to a higher position.*

Specialist Response Group Zone

Zone Convenor (1)

Candidates

KINGHORN, Josh

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

Zone Workplace Delegate (1)

Candidates

BATEMAN, Justin

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

Intelligence Canberra Zone

Zone Convenor (1)

Candidates

PAVLOVICH, Ellanor

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

New South Wales Zone

Zone Convenor (1)

Candidates

No Nominations Received

Zone Workplace Delegate (4)

Candidates

DE ZILVA, Aaron

GALE, David

READ, Luke

THORNCRAFT, Andrew

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

Victoria & Tasmania Zone

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	450
Number of voters issued with voting material	450
Total number of voters issued with replacement voting material	1
Total number of voting material packs issued	451
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	168
Number of declaration envelopes rejected at preliminary scrutiny (minus)	1

Number of ballot papers returned outside declaration envelopes (minus)	0
COUNT	
Total ballot papers admitted to the count	167
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	18
Voting material packs not returned by voters by closing date of the ballot	265
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	37 %

Zone Convenor (1)

<u>Candidates</u>	<u>Final Votes</u>
BRYANT, Jason	105
DAMOKAS, Pamela	61

Total ballot papers admitted for this office	167
Formal Ballot papers	166
Informal Ballot papers	1

I declare the following elected:

- BRYANT, Jason

Zone Workplace Delegate (4)

<u>Candidates</u>	<u>Final Votes</u>
BRYCE, Nicholas	147
BEDFORD, Jonathan	92
RODRIGUEZ, Daniel	98
WALTERS, Christian	91
* BRYANT, Jason	
KNIGHT, Steven	63
CASTLES, Brendan	93
DAMOKAS, Pamela	71

Total ballot papers admitted for this office	167
Formal Ballot papers	164
Informal Ballot papers	3

I declare the following elected:

- CASTLES, Brendan
- RODRIGUEZ, Daniel
- BRYCE, Nicholas
- BEDFORD, Jonathan

* BRYANT, Jason was no longer eligible for election due to being elected to a higher position.

Queensland Zone

Zone Convenor (1)

Candidates

MURPHY, Tim

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

Zone Workplace Delegate (2)

Candidates

KIRWAN, Brad

SMITH, Tom

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

South Australia Zone

Zone Convenor (1)

Candidates

CLARK, David John

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

Western Australia Zone

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	162
Number of voters issued with voting material	162
Total number of voters issued with replacement voting material	1
Total number of voting material packs issued	163
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	73
Number of declaration envelopes rejected at preliminary scrutiny (minus)	0
Number of ballot papers returned outside declaration envelopes (minus)	0
COUNT	
Total ballot papers admitted to the count	73
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	4
Voting material packs not returned by voters by closing date of the ballot	86
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	45 %

Zone Convenor (1)

Candidates

No Nominations Received

Zone Workplace Delegate (1)

Candidates

JACKSON, Bruce

CONNOLEY, John

WESTHEAD, Mal

Final Votes

10

37

26

Total ballot papers admitted for this office

73

Formal Ballot papers

73

Informal Ballot papers

0

I declare the following elected:

- CONNOLEY, John

Northern Territory Zone

Zone Convenor (1)

Candidates

LAYCOCK, Julian

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



Catherine Bernoth
Returning Officer
Telephone: 02 9375 6375
Email: nswelections@aec.gov.au
02/09/2019



DECISION

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

Police Federation of Australia
(E2019/73)

MR ENRIGHT

MELBOURNE, 20 MAY 2019

Arrangement for conduct of election.

[1] On 29 March 2019 the Australian Federal Police Association Branch of the Police Federation of Australia lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Branch Zone Convenor and Branch Zone Workplace Delegate/s (number to be determined in accordance with the rules) for each of the following zones:

Community Policing Zone
Canberra Zone
Executive & International Zone
Forensics Zone
Protective Service Officers Zone
Specialist Response Group Zone
Intelligence Canberra Zone
New South Wales Zone
Victoria & Tasmania Zone
Queensland Zone
South Australia Zone
Western Australia Zone
Northern Territory Zone

[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 COMMISSIONER

Printed by authority of the Commonwealth Government Printer

PR351365

PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009*

I, Adrian Graeme Smith, being the Secretary/Treasurer of the Australian Federal Police Association Branch of the Police Federation of Australia make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Australian Federal Police Association Branch of the Police Federation of Australia.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. A brief outline of the proposed rule alterations affecting this election is attached in Annexure B. These rule alterations were approved by the Branch National Council on 21 March 2019 and have not been lodged with the Fair Work Commission. The proposed alterations will be lodged by 3 April 2019.
5. The rule numbers which specifies the formulas re Rule 72(3) and 95(2)(c).
6. The formula is:

(i)	1 to 100 members:	one delegate;
(ii)	101 to 200 members:	two delegates;
(iii)	201 to 300 members:	three delegates;
(iv)	301 to 400 members:	four delegates;
(v)	401 to 500 members:	five delegates;
(vi)	501 to 600 members:	six delegates;
(vii)	601 to 700 members:	seven delegates;
(viii)	701 members and above	eight delegates
7. The information for calculating the formula is the number of members in each zone.
8. The relevant date for this information is the closure of the roll.

Signed:



Secretary/Treasurer

Dated: 29 March 2019

AFPA Branch Police Federation of Australia - Prescribed Information for the election of officers

Annexure A

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
<i>AFPA Branch - Community Policing Zone</i>	<i>Zone Convenor</i>	<i>1</i>	<i>Direct</i>	<i>Scheduled</i>	<i>Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule</i>
<i>AFPA Branch - Community Policing Zone</i>	<i>Zone Workplace Delegate/Council Delegate</i>	<i>7</i>	<i>Direct</i>	<i>Scheduled</i>	<i>Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule</i>
<i>AFPA Branch - Canberra Zone</i>	<i>Zone Convenor</i>	<i>1</i>	<i>Direct</i>	<i>Scheduled</i>	<i>Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule</i>
<i>AFPA Branch - Canberra Zone</i>	<i>Zone Workplace Delegate/Council Delegate</i>	<i>6</i>	<i>Direct</i>	<i>Scheduled</i>	<i>Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule</i>
<i>AFPA Branch - Executive & International Zone</i>	<i>Zone Convenor</i>	<i>1</i>	<i>Direct</i>	<i>Scheduled</i>	<i>Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule</i>
<i>AFPA Branch - Executive & International Zone</i>	<i>Zone Workplace Delegate/Council Delegate</i>	<i>2</i>	<i>Direct</i>	<i>Scheduled</i>	<i>Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule</i>
<i>AFPA Branch -</i>	<i>Zone Convenor</i>	<i>1</i>	<i>Direct</i>	<i>Scheduled</i>	<i>Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule</i>

AFPA Branch Police Federation of Australia - Prescribed Information for the election of officers

<i>Forensics Zone</i>					
<i>AFPA Branch - Forensics Zone</i>	<i>Zone Workplace Delegate/Council Delegate Council</i>	<i>1</i>	<i>Direct</i>	<i>Scheduled</i>	<i>Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule</i>
<i>AFPA Branch - Protective Service Officers Zone</i>	<i>Zone Convenor</i>	<i>1</i>	<i>Direct</i>	<i>Scheduled</i>	<i>Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule</i>
<i>AFPA Branch - Protective Service Officers Zone</i>	<i>Zone Workplace Delegate/Council Delegate</i>	<i>2</i>	<i>Direct</i>	<i>Scheduled</i>	<i>Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule</i>
<i>AFPA Branch - Specialist Response Group Zone</i>	<i>Zone Convenor</i>	<i>1</i>	<i>Direct</i>	<i>Scheduled</i>	<i>Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule</i>
<i>AFPA Branch - Specialist Response Group Zone</i>	<i>Zone Workplace Delegate/Council Delegate</i>	<i>1</i>	<i>Direct</i>	<i>Scheduled</i>	<i>Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule</i>
<i>AFPA Branch - Intelligence Canberra Zone</i>	<i>Zone Convenor</i>	<i>1</i>	<i>Direct</i>	<i>Scheduled</i>	<i>Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule</i>
<i>AFPA Branch - New South Wales Zone</i>	<i>Zone Convenor</i>	<i>1</i>	<i>Direct</i>	<i>Scheduled</i>	<i>Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule</i>

AFPA Branch Police Federation of Australia - Prescribed Information for the election of officers

AFPA Branch - New South Wales Zone	Zone Workplace Delegate/Council Delegate	4	Direct	Scheduled	Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule
AFPA Branch - Victoria & Tasmania Zone	Zone Convenor	1	Direct	Scheduled	Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule
AFPA Branch - Victoria & Tasmania Zone	Zone Workplace Delegate/Council Delegate	4	Direct	Scheduled	Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule
AFPA Branch - Queensland Zone	Zone Convenor	1	Direct	Scheduled	Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule
AFPA Branch - Queensland Zone	Zone Workplace Delegate/Council Delegate	2	Direct	Scheduled	Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule
AFPA Branch - South Australia Zone	Zone Convenor	1	Direct	Scheduled	Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule
AFPA Branch -	Zone Convenor	1	Direct	Scheduled	Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule

<i>Western Australia Zone</i>					
<i>AFPA Branch - Western Australia Zone</i>	<i>Zone Workplace Delegate/Council Delegate</i>	<i>1</i>	<i>Direct</i>	<i>Scheduled</i>	<i>Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule</i>
<i>AFPA Branch - Northern Territory Zone</i>	<i>Zone Convenor</i>	<i>1</i>	<i>Direct</i>	<i>Scheduled</i>	<i>Rule 95(3) and Proposed Rule 95(3A) - Zone Election Rule</i>

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	<i>1 June 2019 Current and Proposed Rule 95(5)(a)</i>	<i>NA</i>
Nominations CLOSE	<i>1 July 2019 Current and Proposed Rule 95(5)(a)</i>	<i>NA</i>
Roll of Voters closure date	<i>Current Rule 95(5)(e) 7 days prior to nominations opening 21 days prior to nominations opening Proposed Rule 95(5)(e)</i>	<i>NA</i>

Annexure B

The Australian Electoral Commissioner requested a number of provisions be reworded to allow for better administration of the electoral process. This has resulted in the inclusion of Clause ‘titles’ and some renumbering of existing provisions in relevant Rule 95. There is no change to underlying process, other than:

- New Rule 95(3A) seeks to clarify manner in which members are allocated to each zone
- 95(5)(e) increase tie frame for ballot close from 7 to 21 days – this will allow for efficient administration of new Rule 95(3A)
- 95 (l) – procedures for dealing with tied vote.