

*Workplace Relations Act 1996*  
s.189 of Schedule 1B - arrangement for conduct of an election

**Police Federation of Australia**  
(E2004/6)

T. NASSIOS  
DEPUTY INDUSTRIAL REGISTRAR

MELBOURNE, 13 DECEMBER 2004

*Arrangement for conduct of election.*

**DECISION**

[1] On 25 November and 9 December 2004, the Australian Federal Police Association Branch of the abovenamed organisation lodged in the Industrial Registry the prescribed information in relation to an election for the following offices:

**Federal Policing Zone**

Zone Coordinator (casual vacancy)  
Workplace Delegate (casual vacancy)

**National Policing Services Zone**

Zone Coordinator (casual vacancy)

**Contract Policing Zone**

Zone Coordinator (casual vacancy)  
Workplace Delegate (insufficient nominations from previous election)

**Aviation Protection Zone**

Zone Coordinator

**Protective Security Zone**

Zone Coordinator  
Workplace Delegate

**Intelligence Zone**

Zone Coordinator

**Aviation Security Zone**

Zone Coordinator  
Workplace Delegate

**Forensic Zone**

Zone Coordinator (insufficient nominations from previous election)

[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 Schedule 1B of the Workplace Relations Act 1996, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



The Registrar  
Australian Industrial Registry  
Melbourne, Victoria

16 November 2004

Dear Sir,

**STATEMENT AND NOTICE OF PRESCRIBED INFORMATION UNDER  
REGULATION 136**

I, Jonathan Kirkness Hunt-Sharman, Branch National President of the Australian Federal Police Association Branch of the Police Federation of Australia, make the following statement:

I am the Branch National President of the Australian Federal Police Association Branch of the Police Federation of Australia. I am also the Federal Vice President of the Police Federation of Australia;

I am authorized to lodge the following prescribed information concerning forthcoming elections in the Australian Federal Police Association Branch of the Police Federation of Australia; and

I confirm that the following information in Attachment A, Attachment B and Attachment C are being lodged under Subsection 189(1) of the RAO schedule.

Yours truly,

Jon Hunt-Sharman  
National President  
Australian Federal Police Association Branch  
Police Federation of Australia

## ANNEXURE A

**Reasons for elections- 138 (1) (b) (i) & 138 (1) (b) (iii)**

Elections for the Offices and positions (as below) are marked as either requiring election because an extraordinary vacancy or casual vacancy has occurred in the normal course of events under the rules of the organization or are required because they are a new position that has been created under Rule 61 and Rule 90 of the organization.

<b>Name of Offices/Positions election is required – 138 (1) (a)</b>	<b>Electorate - 138 (1) (d)</b>	<b>Reasons for elections-</b>	<b>Direct Voting System – 138 (1) (g) (i)</b>	<b>Financial members as at 18 November 2004</b>
<b>Contract Policing Zone Coordinator</b>	Contract Policing Zone	<i>Offices in <b>bold</b> indicate the term of office has expired in the normal course of events under the Rules of the Organisation.- 138 (1) (b) (i)</i>	The electorate for the direct voting system is each respective Zone as per Rule 66 (b)	619
<b>National Policing Services Zone Coordinator</b>	National Policing Services Zone	<i>Offices in <b>bold</b> indicate the term of office has expired in the normal course of events under the Rules of the Organisation.- 138 (1) (b) (i)</i>	The electorate for the direct voting system is each respective Zone as per Rule 66 (b)	46
<b>Federal Policing Zone Coordinator</b>	Federal Policing Zone	<i>Offices in <b>bold</b> indicate the term of office has expired in the normal course of events under the Rules of the Organisation.- 138 (1) (b) (i)</i>	The electorate for the direct voting system is each respective Zone as per Rule 66 (b)	709
<b>Federal Policing Zone Workplace Delegate</b>	Federal Policing Zone	<i>Offices in <b>bold</b> indicate the term of office has expired in the normal course of events under the</i>	The electorate for the direct voting system is each respective Zone as per Rule 66 (b)	709

		<i>Rules of the Organisation.- 138 (1) (b) (i)</i>		
Covert Protective Policing Zone Workplace Delegate	Covert Protective Policing Zone	<i>Offices <u>not in bold</u> indicate that elections are required because they are a new position that has been created under rule 90 of the organization.- 138 (1) (b) (iii)</i>	The electorate for the direct voting system is each respective Zone as per Rule 66 (b)	183
Aviation Protection Zone Coordinator	Aviation Protection Zone	<i>Offices <u>not in bold</u> indicate that elections are required because they are a new position that has been created under rule 61 of the organization.- 138 (1) (b) (iii)</i>	The electorate for the direct voting system is each respective Zone as per Rule 66 (b)	68
Aviation Security Zone Coordinator	Aviation Security Zone	<i>Offices <u>not in bold</u> indicate that elections are required because they are a new position that has been created under rule 61 of the organization.- 138 (1) (b) (iii)</i>	The electorate for the direct voting system is each respective Zone as per Rule 66 (b)	154
Aviation Security Zone Workplace Delegate	Aviation Security Zone	<i>Offices <u>not in bold</u> indicate that elections are required because they are a new position that has been created under rule 61 of the organization.- 138 (1) (b) (iii)</i>	The electorate for the direct voting system is each respective Zone as per Rule 66 (b)	154
Protective Security Zone Coordinator.	Protective Security Zone	<i>Offices <u>not in bold</u> indicate that elections are</i>	The electorate for the direct voting system is	235

		<i>required because they are a new position that has been created under rule 61 of the organization.- 138 (1) (b) (iii)</i>	each respective Zone as per Rule 66 (b)	
Protective Security Zone Workplace Delegate	Protective Security Zone	<i>Offices <u>not in bold</u> indicate that elections are required because they are a new position that has been created under rule 61 of the organization.- 138 (1) (b) (iii)</i>	The electorate for the direct voting system is each respective Zone as per Rule 66 (b)	235
Intelligence Zone Coordinator	Intelligence Zone	<i>Offices <u>not in bold</u> indicate that elections are required because they are a new position that has been created under rule 90 of the organization.- 138 (1) (b) (iii)</i>	The electorate for the direct voting system is each respective Zone as per Rule 66 (b)	105
<b>Zone Coordinator- Forensic Zone</b>	Forensic Zone	<i>Offices in <b>bold</b> indicate the term of office has expired in the normal course of events under the Rules of the Organisation.- 138 (1) (b) (i)</i>	The electorate for the direct voting system is each respective Zone as per Rule 66 (b)	69
<b>Workplace Delegate- Contract Policing Zone</b>	Contract Policing Zone	<i>Offices in <b>bold</b> indicate the term of office has expired in the normal course of events under the Rules of the Organisation.- 138 (1) (b) (i)</i>	The electorate for the direct voting system is each respective Zone as per Rule 66 (b)	619

**Nominations Open:**

16 December 2004

**Nominations Close:**

20 January 2005

**Cut off date for roll:**

7 days prior to the opening date for nominations

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## ANNEXURE B

The following is an extract of the National Council resolutions approving the election for the Offices and positions:-

### AFPA National Council 31<sup>st</sup> August – 3<sup>rd</sup> September 2004

#### **Agenda Item 6- AEC Opens ballot and election conducted**

Mr. Sonny Neoh of the Australian Electoral Commission attended the National Council, called for nominations, closed nominations and conducted the election for the AFPA Office Holder positions and declared the results.

Branch National President	Jon Hunt-Sharman
Branch Vice President Federal Operations	Marianne Tully
Branch Vice President Community Operations	Dennis Gellatly
Branch Vice President Policing Operations Support	Margaret Davson
Branch Vice President Protective Service Operations	Spiro Kalliris
Branch Vice President Specialist Operations	Christopher Collingwood
Branch Vice President International Operations	Peter Brown
Branch Chief Executive Officer	Jim Torr

The National Council congratulated the newly elected Office holders. In accordance with the PFA AFPA Branch rules Marianne Tully; Dennis Gellatly; Margaret Davson; Christopher Collingwood and Peter Brown resigned from the previous elected positions creating the following vacancies:

Contract Policing Zone Coordinator (elected 9.2.04) vacated by Dennis Gellatly  
Overt Protective Policing Zone Coordinator (9.2.04) vacated by Christopher Collingwood  
National Policing Services Zone Coordinator (9.2.04) vacated by Margaret Davson

Federal Policing Zone Coordinator (elected 12.03.04) vacated by Marianne Tully  
Federal Policing Zone Workplace Delegate (12.03.04) vacated by Peter Brown

**Motion:** That the National Council accepts the resignation of Dennis Gellatly; Christopher Collingwood; Margaret Davson; Marianne Tully and Peter Brown, in accordance with the AFPA rules, to enable them to hold their newly elected Vice President positions.

Moved:	Jim Torr
Seconded:	Bill Graham
Carried:	unanimously

**Motion:** That the Overt Protective Policing Zone Coordinator position not be refilled by election but instead that the Overt Protective Policing Zone be absorbed within the Covert Protective Policing Zone as it better reflects the covert role of Close Personal Protection employees. Further, as per the AFPA Rules, based on membership numbers, that the new position of Covert Protective Policing Zone Workplace Delegate be created and that new vacancy be filled by election as soon as practicable.

Moved: Chris Collingwood  
 Seconded: Peter Brown  
 Carried: unanimously

**Agenda Item 17- National Council resolution re AFPA Zones for 2004-2006 and any subsequent elections required to be conducted by the AEC**

AFPA National Executive minutes of 11 August 2004 tabled by the National President and discussed by Council delegates. Discussion was also held in relation to members failing to nominate for the vacant Forensic Zone Coordinator position and Contract Policing Zone Workplace Delegate position which was conducted by the Australian Electoral Commission. These vacancies will have to go to election again.

The National Council discussed the establishment of the AFP Protective Service zones including the creation of the following Zones:

- Aviation Protection Zone;
- Aviation Security Zone; and
- Protective Security Zone.

The National Council discussed the current AFPA Zones generally and it was decided that the membership had grown in the Intelligence area and that the AFP Functional model gives rise to the AFPA reflecting it with the creation of an Intelligence Zone.

**Motion:** That National Council ratifies resolution 2 of the National Executive meeting of the 11 August 2004 headed “Approval of new AFPA PS Zones” and supports the establishment of three new zones being the Aviation Protection Zone; Aviation Security Zone; and Protective Security Zone. Further, that the subsequent vacant positions be forwarded to the Australian Industrial Registrar and Australian Electoral Commission for calling of nominations for those positions.

Moved: Peter Brown  
 Seconded: Bill Graham  
 Carried unanimously



**Motion:** That the National Council endorses the formation of an Intelligence Zone in line with the AFPA functional model and supports that new zone and subsequent vacant position of Zone Coordinator being forwarded to the Australian Industrial Registrar and the Australian Electoral Commission for calling of nominations for that position.

Moved: Sharon Hicks  
Seconded: Marianne Tully  
*Carried: Unanimously*

**Motion:** That the Vacant positions of Forensic Zone Coordinator and Contract Policing Zone Workplace delegate be readvertised for election.

Moved: Jim Torr  
Seconded: Peter Brown  
*Carried: unanimously*

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## ANNEXURE C

Relevant sections of the Australian Federal Police Association Branch of the Police Federation of Australia Rules certified under section 161 of Schedule 1B of the Workplace Relations Act 1996:-

### **66 - OFFICERS OF THE BRANCH AND WORKPLACE DELEGATES/DELEGATES TO NATIONAL COUNCIL**

- (b) There shall be Workplace Delegates who:-
- (i) shall represent the members of the Branch in their workplace to the best of their ability and shall keep their Zone informed on all matters of importance occurring within his/her workplace. It shall also be incumbent on each Workplace Delegate to keep the members in the workplace informed about the business of the Branch; and
    - (a) each zone shall be entitled to workplace representation at National Council on the basis of 1 Workplace Delegate per 100 members, or majority part thereof, each of whom shall be elected from the members within their Zone;
    - (b) a delegate shall be elected for a term of two years,
    - (c) any financial member of the Branch is entitled to nominate for and vote for the position of Workplace Delegate in the Zone to which they have been allocated;
    - (d) an extraordinary vacancy for the position of Workplace Delegate shall be filled at a meeting of the relevant Zone Committee in accordance with Rule 96, Clause (g); and
    - (e) elections for Workplace Delegates will be conducted in each Zone in accordance with Rule 96, Clause (g).
  - (vi) for the purposes of this Rule a Zone Coordinator shall be deemed to be a Workplace Delegate where there is no such position elected within the Zone in accordance with Clause (b), paragraph (i), sub-paragraph (a) of this Rule.

**96 - ZONE ELECTION RULE**

(a) General

The provisions of this Rule shall apply to all elections for the following offices in a Zone:

- (i) Zone Coordinator; and
- (ii) Workplace Delegate/Delegates to National Council

(c) Qualifications for Office

A nominee for any office in a Zone shall be a financial member of the Branch as at the date of his/her nomination.

(g) Extraordinary Vacancies

(i) Where an extraordinary or casual vacancy (howsoever occurring) in the office of any Officer of a Zone, ordinary member of a Zone Committee or Workplace Delegate to the Branch National Council, the Zone Committee shall take immediate action to have such vacancy filled by secret postal ballot of all financial members of the Zone provided that:

(a) where the unexpired portion of the term of office in which the vacancy occurs does not exceed one year, the Zone Committee may fill such vacancy by appointment of an eligible member of the Branch; and

(b) **where the unexpired portion of the term of office in which the vacancy occurs exceeds one year, the Zone Committee may fill such vacancy by appointment of an eligible member of the Branch until an election is held, provided that no person so appointed shall hold office for a period exceeding three months.**

(ii) Such election shall be conducted by the Returning Officer appointed pursuant to this rule and the Returning Officer so appointed shall determine the dates for the closing of nominations and the closing of the ballot and shall report the result of the ballot to the next following meeting of the Zone Committee.

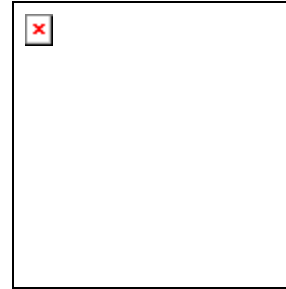
(iii) Any person so elected shall take office from the date of the declaration of his/her election and shall hold office until the expiration of the term of the person he/she replaces.

(iv) In all other respects, the election shall be conducted in accordance with the foregoing provisions of this Rule.

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The Registrar  
Australian Industrial Registry  
Melbourne, Victoria

9 December 2004



Dear Sir,

**AMENDMENT TO STATEMENT AND NOTICE OF PRESCRIBED  
INFORMATION UNDER REGULATION 136 DATED 16 NOVEMBER 2004**

I refer to my "Statement and Notice of Prescribed Information Under Regulation 136" dated 16 November 2004 in relation to the election for Offices within the Australian Federal Police Association Branch of the Police Federation of Australia.

I request the following amendment to Annexure A of that document by the deletion of the reference to "Covert Protective Policing Zone Workplace Delegate office" as set out below:

**ANNEXURE A**

<b>Name of Offices/Positions election is required – 138 (1) (a)</b>	<b>Electorate - 138 (1) (d)</b>	<b>Reasons for elections-</b>	<b>Direct Voting System – 138 (1) (g) (i)</b>	<b>Financial members as at 18 November 2004</b>
Covert Protective Policing Zone Workplace Delegate	Covert Protective Policing Zone	<i>Offices <u>not in bold</u> indicate that elections are required because they are a new position that has been created under rule 90 of the organization.- 138 (1) (b) (iii)</i>	The electorate for the direct voting system is each respective Zone as per Rule 66 (b)	183

As a result of discussions with Mr. Robert Pfeiffer of the Australian Industrial Registry, I now seek leave to withdraw the above office from election as there is no requirement to create it until the next regular election period.

I apologize for any inconvenience caused to you as a result of including this proposed office.

Yours truly,

Jon Hunt-Sharman  
National President  
Australian Federal Police Association Branch  
Police Federation of Australia