



**Industrial Elections – ACT Office**  
GPO Box 1824  
CANBERRA ACT 2601

**Industrial Elections – ACT Office**  
1st Floor, 8 - 10 Hobart Place  
CANBERRA ACT 2601

**Reference:** N09/437

Telephone: (02) 6249 7943  
Facsimile: (02) 6248 7559  
Email: [sonny.neoh@aec.gov.au](mailto:sonny.neoh@aec.gov.au)

website: [www.aec.gov.au](http://www.aec.gov.au)  
ABN: 21 133 285 851

Mr Jon Hunt-Sharman  
Branch National President  
Police Federation of Australia  
Australian Federal Police Association Branch  
GPO Box 132  
CANBERRA ACT 2601

[ **Attention: Vesna Trajanoska** ]

Dear Mr Hunt-Sharman

**Police Federation of Australia - Australian Federal Police Association Branch (Vacancies Elections)  
E2009/10052 Refers – Declaration of Results for Contested Offices**

I refer to my letter of 7 October 2009 concerning the arrangements for me to conduct an election for various vacant positions in your Organisation and wish to advise that the ballots for the contested offices have been duly conducted.

My declaration of the contested offices is attached.

The election is now complete.

Yours sincerely

Sonny Neoh  
Returning Officer

30 November 2009

cc Delegate of the General Manager, Fair Work Australia  
All Candidates

**Police Federation of Australia  
AFPA Branch Vacancies Elections 2009**

**DECLARATION OF RESULTS FOR CONTESTED OFFICES**

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.

**E2009/10052 Refers.**

**Branch Vice-President Federal Operations**

Total number of persons on the roll of voters	43
Ballot papers issued	43
Duplicate ballot papers issued	Nil
<b>TOTAL BALLOT PAPERS ISSUED</b>	<b>43</b>
Ballot papers/ envelopes returned for scrutiny	19
Less ballot papers/ envelopes rejected at preliminary scrutiny	Nil
<b>TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY</b>	<b>19</b>
Percentage of ballot papers returned to number issued	44.18%
Ballot papers returned as unclaimed mail	Nil
Ballot papers not returned	24
<u>Candidates</u>	<u>Votes</u>
CLEELAND, Fiona Jane	6
BRIDLE, Ian	13
Total votes	19
Formal ballot papers	19
Informal ballot papers	Nil

I declare Ian Bridle elected.

**E2009/10052 Refers.**

**Uniform Protection Zone - Workplace Delegate (1)**

Total number of persons on the roll of voters	353
Ballot papers issued	353
Duplicate ballot papers issued	Nil
<b>TOTAL BALLOT PAPERS ISSUED</b>	<b>353</b>

Ballot papers/ envelopes returned for scrutiny	61
Less ballot papers/ envelopes rejected at preliminary scrutiny	2
<b>TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY</b>	<b>59</b>

Percentage of ballot papers returned to number issued	17.28%
Ballot papers returned as unclaimed mail	4
Ballot papers not returned	288

<u>Candidates</u>	<u>Votes</u>
CHERRY, Aaron Michael	12
SMITH, Mark	28
PARKER, Alex	19

Total votes	59
Formal ballot papers	59
Informal ballot papers	Nil

I declare Mark Smith elected.

Sonny Neoh  
Returning Officer  
Australian Electoral Commission, Canberra

30 November 2009



AEC - Industrial Elections – ACT Office  
GPO Box 1824  
CANBERRA ACT 2601



Industrial Elections – ACT Office  
1st Floor , 8-10 Hobart Place  
CANBERRA ACT 2601

**Reference:** ACT N09/437  
Website: [www.aec.gov.au](http://www.aec.gov.au) ; ABN: 21 133 285 851

**Contact:** Sonny Neoh  
Phone: (02) 6249 7943  
Facsimile: (02) 6248 7559  
E-mail: [sonny.neoh@aec.gov.au](mailto:sonny.neoh@aec.gov.au)

Mr Jon Hunt – Sharman  
Branch National President  
Police Federation of Australia  
Australian Federal Police Association Branch  
GPO Box 132  
CANBERRA ACT 2601

[ Attention: Vesna Trajanoska ]

Dear Mr Hunt-Sharman

**Police Federation of Australia - Australian Federal Police Association Branch (Vacancies Elections)  
E.No. 2009/10052 & E.No. 2009/10055 Refers – Declaration of Results for Uncontested Offices.**

I refer to my letter of 7 October 2009 concerning the arrangements for me to conduct an election for various vacant positions in your Organisation and wish to advise that the following offices just had sufficient nominations needed to fill the relevant vacancy.

As such, the nominees are elected unopposed to their respective offices.

My declaration of the uncontested offices is attached.

A further declaration of results for the other contested offices will be issued, once the ballots are completed.

Yours sincerely

Sonny Neoh  
Returning Officer

2 November 2009

cc Delegate of the General Manager, Fair Work Australia  
Candidates (elected unopposed)

**Police Federation of Australia  
AFPA Branch Vacancies Elections 2009**

**DECLARATION OF RESULTS FOR UNCONTESTED OFFICES**

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.

**E2009/10052 Refers.**

**Close Personal Protection Zone**

**Zone Co-Ordinator (1)**

Candidate

CORIN, Greg

I declare Greg Corin elected.

**Intelligence Zone**

**Workplace Delegates (2)**

Candidates

FLEISCHER, Roland  
WATERS, Christopher

I declare Roland Fleischer and Christopher Waters elected.

Sonny Neoh  
Returning Officer  
Australian Electoral Commission, Canberra

2 November 2009

# **Australian Electoral Commission/AEC**

Fair Work (Registered Organisations) Act 2009

## **POST ELECTION REPORT**

**Police Federation of Australia  
AFPA Branch**

### **Vacancies Elections:**

- [ i ] Branch Vice-President, Federal Operations**
- [ ii ] Close Personal Protection Zone – Zone Co-Ordinator;  
Intelligence Zone – Workplace Delegates (2); &  
Uniform Protection Zone – Workplace Delegate.**

### **ELECTION/S COVERED IN THIS REPORT**

Election Decision No/s:	<i>E2009/10052</i>
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### **RULES**

Rules used for the election:	<i>[200V: Incorporates alterations of 22/07/2009] [R2009/10011]</i>
Rules difficult to apply/interpret:	<i>- None</i>
Model Rule reference (if any):	<i>- None</i>

### **ROLL OF VOTERS**

Ballots occurred in the following offices:

Total number of voters on the roll: <b>[Branch Vice-President Federal Operations]</b>	43
Number of apparent workplace addresses:	26
Number of non-current addresses:	Nil
Other matters pertaining to the roll of voters:	Nil

Total number of voters on the roll: <b>[Uniform Protection Zone – Workplace Delegate (1)]</b>	353
Number of apparent workplace addresses:	45
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:	- <i>None</i>
Other irregularities identified, and action taken:	- <i>None</i>

### **ATTACHMENTS**

1)	Declaration of Results for Uncontested Offices – Police Federation of Australia, AFPA Branch
2)	Declaration of Results for Contested Offices – Police Federation of Australia, AFPA Branch

Sonny Neoh  
Returning Officer  
Australian Electoral Commission, Canberra

30 November 2009

**ELLIOTT, Mark**

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**From:** industrial.elections@fwa.gov.au  
**Sent:** Wednesday, 9 December 2009 11:04 AM  
**To:** ELLIOTT, Mark  
**Subject:** FW: Attention - Mark Elliott:- PFOA, AFPA Branch: Vacancies Election [E2009/10052] - Branch V-Pres Fed Ops; CPP Zone ZC; Intel Zone WD; UP Zone WD - Post Election Report & Declaration of Results. [SEC=UNCLASSIFIED]  
**Attachments:** PFOA AFPA Branch E2009-10052 PER.doc; Dec Uncontested E2009-10052 AFPA-vac.doc; Dec Contested E2009-10052 AFPA-Vac.doc

**MARY JO CARNEY**

Executive Co-ordinator  
Tribunal Services and Organisations

**Fair Work Australia**

Tel: 03 8661 7825  
Fax: 03 9655 0401  
[maryjo.carney@fwa.gov.au](mailto:maryjo.carney@fwa.gov.au)

11 Exhibition Street, Melbourne Victoria 3000  
GPO Box 1994, Melbourne Victoria 3001

[www.fwa.gov.au](http://www.fwa.gov.au)

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**From:** Sonny Neoh [mailto:Sonny.Neoh@aec.gov.au]  
**Sent:** Monday, 30 November 2009 4:03 PM  
**To:** industrial.elections@fwa.gov.au  
**Cc:** Industrial Elections  
**Subject:** FWA: Attention - Mark Elliott:- PFOA, AFPA Branch: Vacancies Election [E2009/10052] - Branch V-Pres Fed Ops; CPP Zone ZC; Intel Zone WD; UP Zone WD - Post Election Report & Declaration of Results. [SEC=UNCLASSIFIED]

**UNCLASSIFIED**

Hello Mark,

Attached is a copy of the *Post Election Report*, as well as the *Declaration of Results* (i.e. Attachments 1 & 2) for the above-mentioned, PFOA, AFPA Branch, various vacancies election, for your records.

E. No. 2009/10052 refers.

Best regards,

**Sonny Neoh | AEC Returning / Industrial Elections Officer - ACT Office**  
Industrial Elections - ACT  
Australian Electoral Commission  
T: 02 6249 7943 | F: 02 6248 7559

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Fair Work  
Australia

## DECISION

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

**Police Federation of Australia - Australian Federal Police Association  
Branch**  
(E2009/10052)

T. NASSIOS

MELBOURNE, 29 SEPTEMBER 2009

*Arrangement for conduct of election.*

[1] On 25 September 2009 the Police Federation of Australia - Australian Federal Police Association Branch lodged with Fair Work Australia the prescribed information in relation to an election to fill casual vacancies in the following offices:

**Branch Vice President Federal Operations**

**Australian Federal Police Association Branch Zone Coordinator for the following zone:**

Close Personal Protection Zone (1)

**Australian Federal Police Association Branch Zone Workplace Delegates for the following zones:**

Intelligence Zone (2)

Uniform Protection Zone (1)

[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  
Fair Work Australia

Printed by authority of the Commonwealth Government Printer

<Price code A, PR989544 >

## ELLIOTT, Mark

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**From:** ELLIOTT, Mark  
**Sent:** Tuesday, 29 September 2009 2:11 PM  
**To:** 'industrial.elections@aec.gov.au'  
**Subject:** Decision: E2009/10052 (Police Federation of Australia - Australian Federal Police Association Branch)  
**Attachments:** E2009\_10052\_decision.pdf; PFA - 200vfed (22 Jul 2009).doc

Enclosed is a copy of the decision that the Delegate to the Fair Work Australia General Manager published today in the above matter and a copy of the rules of the organisation.

No alterations to those rules have been lodged.

### **MARK ELLIOTT**

Tribunal Services and Organisations

#### **Fair Work Australia**

Tel: 03 8661 7811

Fax: 03 9655 0410

[mark.elliott@fwa.gov.au](mailto:mark.elliott@fwa.gov.au)

11 Exhibition Street, Melbourne Victoria 3000

GPO Box 1994, Melbourne Victoria 3001

[www.fwa.gov.au](http://www.fwa.gov.au)

## ELLIOTT, Mark

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**From:** ELLIOTT, Mark  
**Sent:** Tuesday, 29 September 2009 2:19 PM  
**To:** 'Vesna Trajanoska'  
**Subject:** Decision: E2009/10052 (PFA - AFPABranch)  
**Attachments:** E2009\_10052\_decision.pdf

### MARK ELLIOTT

Tribunal Services and Organisations

#### Fair Work Australia

Tel: 03 8661 7811  
Fax: 03 9655 0410  
[mark.elliott@fwa.gov.au](mailto:mark.elliott@fwa.gov.au)

11 Exhibition Street, Melbourne Victoria 3000  
GPO Box 1994, Melbourne Victoria 3001

[www.fwa.gov.au](http://www.fwa.gov.au)

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**From:** ELLIOTT, Mark  
**Sent:** Tuesday, 29 September 2009 2:16 PM  
**To:** 'vesna@afpa.org.au'  
**Subject:** Decision: E2009/10052 (PFA - AFPABranch)

Good afternoon Vesna,

Please find attached a copy of the decision which the Delegate to the Fair Work Australia General Manager issued today in the abovementioned matter.

Any enquiries in relation to the conduct of the election should be directed to the Industrial Elections section of the Australian Electoral Commission. They may be contacted by telephone on (02) 6249 7908.

Please contact me by return email or by telephone on 03 8661 7811 should you wish to discuss.

Regards,

### MARK ELLIOTT

Tribunal Services and Organisations

#### Fair Work Australia

Tel: 03 8661 7811  
Fax: 03 9655 0410  
[mark.elliott@fwa.gov.au](mailto:mark.elliott@fwa.gov.au)

11 Exhibition Street, Melbourne Victoria 3000  
GPO Box 1994, Melbourne Victoria 3001

[www.fwa.gov.au](http://www.fwa.gov.au)

**ELLIOTT, Mark**

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**From:** ELLIOTT, Mark  
**Sent:** Monday, 28 September 2009 4:10 PM  
**To:** 'industrial.elections@aec.gov.au'  
**Subject:** E2009/10052: Police Federation of Australia, Australian Federal Police Association - Casual vacancies  
**Attachments:** AFPA Election Statement of NoticeVP23092009 - Copy.doc; AFPA Election Statement of NoticeWD23092009.doc

Please find attached prescribed information in relation to the abovementioned matter. Your attention is also drawn to the further explanatory information, from the PFA, contained below.

Kind regards,

**MARK ELLIOTT**

Tribunal Services and Organisations

**Fair Work Australia**

Tel: 03 8661 7811

Fax: 03 9655 0410

[mark.elliott@fwa.gov.au](mailto:mark.elliott@fwa.gov.au)

11 Exhibition Street, Melbourne Victoria 3000

GPO Box 1994, Melbourne Victoria 3001

[www.fwa.gov.au](http://www.fwa.gov.au)

---

**From:** Vesna Trajanoska [mailto:Vesna.Trajanoska@afpa.org.au]  
**Sent:** Friday, 25 September 2009 12:59 PM  
**To:** ELLIOTT, Mark  
**Subject:** RE: Police Federation of Australia, Australian Federal Police Association - Statement and Notice of Prescribed Information Under Reg 136

Mark,

Further to our discussion yesterday I would like to clarify the following:

- The reason for calling the elections to fill the vacant positions of Zone Coordinators and Work place Delegates is; “insufficient nominees” at the last election E2009/183.
- The reason for calling the elections for the vacant position of Federal Operations Vice President is; the elected Vice President resigned following the elections E2008/162 .
- On close scrutiny of the Uniform Protection Zone we now have 323 financial members, therefore in accordance with our rules we are still only eligible for two workplace delegate in this zone.

Please accept the attached amended copies of the ***Statement and Notice of Prescribed Information Under Reg 136*** for submission.

Many thanks.

**Vesna Trajanoska**

Director Finance Administration

28/09/2009

Australian Federal Police Association

Ph +612 6285 1677

Fax +612 6285 2090

Mobile +61 400 225 081

[www.afpa.org.au](http://www.afpa.org.au)



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**ELLIOTT, Mark**

---

**From:** Vesna Trajanoska [Vesna.Trajanoska@afpa.org.au]  
**Sent:** Friday, 25 September 2009 12:59 PM  
**To:** ELLIOTT, Mark  
**Subject:** RE: Police Federation of Australia, Australian Federal Police Association - Statement and Notice of Prescribed Information Under Reg 136  
**Attachments:** AFPA Election Statement of NoticeVP23092009 - Copy.doc; AFPA Election Statement of NoticeWD23092009.doc

Mark,

Further to our discussion yesterday I would like to clarify the following:

- The reason for calling the elections to fill the vacant positions of Zone Coordinators and Work place Delegates is; “insufficient nominees” at the last election E2009/183.
- The reason for calling the elections for the vacant position of Federal Operations Vice President is; the elected Vice President resigned following the elections E2008/162 .
- On close scrutiny of the Uniform Protection Zone we now have 323 financial members, therefore in accordance with our rules we are still only eligible for two workplace delegate in this zone.

Please accept the attached amended copies of the ***Statement and Notice of Prescribed Information Under Reg 136*** for submission.

Many thanks.

**Vesna Trajanoska**

Director Finance Administration  
Australian Federal Police Association  
Ph +612 6285 1677  
Fax +612 6285 2090  
Mobile +61 400 225 081  
[www.afpa.org.au](http://www.afpa.org.au)

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---

**From:** Vesna Trajanoska  
**Sent:** Thursday, 24 September 2009 2:40 PM

28/09/2009

**To:** 'Mark.Elliott@airc.gov.au'

**Cc:** Jon HuntSharman; Jim Torr; Ian Phillips

**Subject:** Police Federation of Australia, Australian Federal Police Association - Statement sand Notice of Prescribed Information Under Reg 136

Dear Mark,

Please find attached Statement sand Notice of Prescribed Information Under Reg 136 request for elections to fill vacant position.

Please contact me by return email or by phone on 02 6285 1677 should you wish to discuss.

Many thanks.

**Vesna Trajanoska**

Director Finance Administration

Australian Federal Police Association

Ph +612 6285 1677

Fax +612 6285 2090

Mobile +61 400 225 081

[www.afpa.org.au](http://www.afpa.org.au)



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Registrar  
Australian Industrial Registry  
Level 4, 11 Exhibition Street  
Melbourne  
GPO Box 1994  
Melbourne Vic 3001

23<sup>rd</sup> September 2009

Dear Sir

STATEMENT AND NOTICE OF PRESCRIBED INFORMATION UNDER REGULATION 136

I, James Peter Torr, Chief Executive Officer of the Australian Federal Police Association Branch of the Police Federation of Australia, make the following statement:

I am the Chief Executive Officer of the Australian Federal Police Association Branch 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, and attachment B is being lodged under Subsection 189(1) of the RAO schedule

Yours truly,  
James Peter Torr  
Chief Executive Officer  
Australian Federal Police Association



Name of Offices/Positions and Zones are as follows-

The Zones of the Branch are as per Rule 67 (a) (ii):-

**Close Personal Protection Zone**  
**Intelligence Zone**  
**Uniform Protection Zone**

Name of Offices/Positions requiring election are as follows – 138 (1) (a)

The positions are for:-

<b>AFPA ZONE</b>	<b>OFFICE/POSITION</b>	<b>VACANCIES</b>	<b>TYPE</b>
Close Personal Protection Zone	Zone Coordinator	(1)	Casual Vacancy
Intelligence Zone	Workplace Delegate	(1)	Casual Vacancy
Intelligence Zone	Workplace Delegate	(1)	Casual Vacancy
Uniform Protection Zone	Workplace Delegate	(1)	Casual Vacancy

Reason for elections – 138 (1) (a)

Casual Vacancies have been creating in Close Personal Protection Zone, Intelligence Zone and Uniform Protection Zone due to “insufficient nominees in election E2009/183

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;

Electorate –The electorate for the direct voting system is each Zone as per Rule 66 (b):-

Roll of voters closes: Friday 09/10/09  
 Nominations Open: Friday 16/10/09  
 Nominations Close: Friday 30/10/09 (close at 5pm)  
 Ballot Opens: Monday 16/10/09  
 Ballot Close: Monday 30/10/09 (close at 10am)

***Cut off date for roll: in all cases: 7 days prior to the opening date for nominations - rule 22(g).***

Contact: Vesna Trajanoska [vesna.trajanoska@afpa.org.au](mailto:vesna.trajanoska@afpa.org.au) Ph 02 6285 1677

**ANNEXURE A**  
**Relevant AFPA Branch Rules**

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) 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.

67 - BRANCH NATIONAL COUNCIL

(a) The Branch National Council shall consist of:

(i) the Officers of the Branch; and

(ii) Workplace Delegates from each Zone, elected by and from the financial members of each Zone;

(iii) each Zone Coordinator as elected in accordance with these Rules, by financial members in each Zone.

(b) The Coordinator of a Zone shall ex officio be one of the Zone's delegates to the Branch National Council and shall be counted in the number of delegates eligible to be elected.

73 - ELECTION OF OFFICERS

(a) Tenure of Office

The Branch Chief Executive Officer and the Branch National President shall be elected by secret ballot by and from the National Council and shall take office from the declaration of their election, and shall hold office for a period of four years or until a successor thereto has been elected and taken office. Such election shall be conducted at every second biennial meeting of Branch National Council, occurring thereafter.

(aa) The Branch Officers other than the Branch Chief Executive Officer and the Branch National President shall be elected by secret ballot by and from the National Council and shall take office from the declaration of their election, and shall hold office for a period of two years or until a successor thereto has been elected and taken office. Such an election shall be conducted at every biennial meeting of Branch National Council, occurring thereafter.

(b) Qualifications for Office

A nominee for the position of the Branch National President; the Branch Vice President Federal Operations, the Branch Vice President Community Operations; the Branch Vice President Policing Operations Support; the Branch Vice President Protective Service Operations; the Branch Vice President Specialist Operations; the Branch Vice President International

Operations and the Branch Chief Executive Officer; shall be a financial member of the Branch as at the date of his/her nomination and;

- (i) shall be a member of the Branch National Council; and
- (ii) nominated by two members of the Branch National Council.

#### 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

##### (b) Tenure of Office

(i) Zone Coordinators and Workplace Delegates, who are Delegates to Branch National Council in accordance with Rule 66(b)(i)(a), shall be elected by secret postal ballot of all financial members within each Zone and shall take office from the completion of the Annual General meeting of the Zone in the year in which they are elected and hold office for a period of two years or until a successor thereto has been elected and taken office.

##### (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.

***ANNEXURE B***  
***AFPA Financial Members as at 23/9/2009***

<b>AFPA Zone</b>	<b>Count</b>
Close Personal Protection	105
Intelligence	300
Uniform Protection	323



Registrar  
Australian Industrial Registry  
Level 4, 11 Exhibition Street  
Melbourne  
GPO Box 1994  
Melbourne Vic 3001

23<sup>rd</sup> September 2009

Dear Sir

STATEMENT AND NOTICE OF PRESCRIBED INFORMATION UNDER REGULATION 136

I, James Peter Torr, Chief Executive Officer of the Australian Federal Police Association Branch of the Police Federation of Australia, make the following statement:

I am the Chief Executive Officer of the Australian Federal Police Association Branch 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 is being lodged under Subsection 189(1) of the RAO schedule

Yours truly,  
James Peter Torr  
Chief Executive Officer  
Australian Federal Police Association

Name of Offices/Positions are as follows-

Election of Officers as per Rule 73 (a):-

**Federal Operations Vice President**

Name of Offices/Positions requiring election are as follows – 138 (1) (a)

The positions are for:-

AFPA ZONE	OFFICE/POSITION	VACANCIES	TYPE
Federal Operations	Vice President	(1)	Casual Vacancy

Reason for elections – 138 (1) (a) Rule 73 (d)(i)(b)

Casual Vacancy has been created due to the resignation of the elected Vice President Federal Operations Marianne Tully on the 22<sup>nd</sup> August 2008 refer to **“Annex B”**

Extraordinary Vacancy

- (i) Where an extraordinary or casual vacancy (howsoever occurring) arises in the Office of the Branch National President; the Branch Vice President Federal Operations, the Branch Vice President Community Operations; the Branch Vice President Policing Operations Support; the Branch Vice President Protective Service Operations; the Branch Vice President Specialist Operations; the Branch Vice President International Operations and the Branch Chief Executive Officer; then the Branch Chief Executive Officer or in the case of casual vacancy in the office of Branch Chief Executive Officer, the Branch National President shall take immediate action to have such vacancy filled provided that:
  
- (b) where the unexpired portion of the term of office in which the vacancy occurs exceeds three quarters of the term, the Branch National Executive 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.

Electorate –The electorate for the direct voting system is the National Executive as per Rule 73 (a):-

Roll of voters closes: Friday 09/10/09  
 Nominations Open: Friday 16/10/09  
 Nominations Close: Friday 30/10/09 (close at 5pm)  
 Ballot Opens: Monday 16/10/09  
 Ballot Close: Monday 30/10/09 (close at 10am)

**Cut off date for roll: in all cases: 7 days prior to the opening date for nominations - rule 22(g).**

Contact: Vesna Trajanoska [vesna.trajanoska@afpa.org.au](mailto:vesna.trajanoska@afpa.org.au) Ph 02 6285 1677

***ANNEXURE A***  
***Relevant AFPA Branch Rules***

**73 - ELECTION OF OFFICERS**

(a) Tenure of Office

The Branch Chief Executive Officer and the Branch National President shall be elected by secret ballot by and from the National Council and shall take office from the declaration of their election, and shall hold office for a period of four years or until a successor thereto has been elected and taken office. Such election shall be conducted at every second biennial meeting of Branch National Council, occurring thereafter.

- (aa) The Branch Officers other than the Branch Chief Executive Officer and the Branch National President shall be elected by secret ballot by and from the National Council and shall take office from the declaration of their election, and shall hold office for a period of two years or until a successor thereto has been elected and taken office. Such an election shall be conducted at every biennial meeting of Branch National Council, occurring thereafter.

(b) Qualifications for Office

A nominee for the position of the Branch National President; the Branch Vice President Federal Operations, the Branch Vice President Community Operations; the Branch Vice President Policing Operations Support; the Branch Vice President Protective Service Operations; the Branch Vice President Specialist Operations; the Branch Vice President International Operations and the Branch Chief Executive Officer; shall be a financial member of the Branch as at the date of his/her nomination and;

- (i) shall be a member of the Branch National Council; and
- (ii) nominated by two members of the Branch National Council.

(c) Manner of Election

- (i) The Returning Officer, appointed in accordance with Rule 73(f) shall call for nominations for the position of the Branch National President; the Branch Vice President Federal Operations, the Branch Vice President Community Operations; the Branch Vice President Policing Operations Support; the Branch Vice President Protective Service Operations; the Branch Vice President Specialist Operations; the Branch Vice President International Operations and the Branch Chief Executive Officer; sixty days prior to the meeting of Branch National Council, in an election year, provided that nominations for the position shall close seven days prior to such meeting.
- (ii) The election of the Branch Officers shall commence immediately upon the commencement of the afternoon session of the second day of the Branch National Council Meeting occurring in an election year. At that time the Returning Officer, appointed in accordance with Rule 73(f) shall call for nominations for the position and conduct the election in a manner consistent with the provisions of this Rule.

- (iii) If only one nomination for a position is received by the Returning Officer, the nominee shall be declared elected. If two or more nominations are received the Returning Officer shall forthwith conduct a ballot of Branch National Council members in accordance with this Rule and declare the result as soon as it becomes available.
  - (iv) Nominations shall be in writing, signed by the nominee and two nominators (who shall be members of the Branch National Council) and shall be delivered to the Returning Officer.
  - (v) The Returning Officer shall check all nominations received for compliance with the requirements of these Rules and shall reject any that do not so comply, provided that in the event of the Returning Officer finding a defect in any nomination, the Returning Officer shall, before rejecting the nomination, notify the person concerned of the defect and, where it is practicable to do so, give the nominee the opportunity of remedying the defect where practicable within a reasonable period of the nominee having been so notified.
  - (vi) If more nominations are received than there are vacancies for a position the Returning Officer shall have ballot papers prepared containing the names of the candidates for each position in order determined by lot indicating the number to be elected to each position, the manner in which votes shall be recorded and the date and the time of closing of the ballot.
  - (vii) The Returning Officer shall be responsible for the safe custody of the ballot papers and shall initial every ballot paper prior to distribution.
  - (viii) The Returning Officer shall provide a ballot paper to each member of the Branch National Council in attendance at the meeting who is eligible to vote and shall arrange for the use of a receptacle to which ballot papers shall be returned to him/her and after the closing of the ballot the Returning Officer shall collect the ballot papers from such receptacle.
  - (ix) Upon collecting the same the Returning Officer shall, in the presence of the scrutineers (if so requested) count all the votes cast and, subject to Clause (c)(x) of this Rule, declare the result of the ballot.
  - (x) In the event of a tie occurring, the result shall be determined by the Returning Officer drawing lots in the presence of the tied candidates.
  - (xi) Upon declaration of the ballot, the Returning Officer shall seal and retain all ballot papers for a period of twelve months after the conduct of the ballot.
- (d) Extraordinary Vacancy
- (i) Where an extraordinary or casual vacancy (howsoever occurring) arises in the Office of the Branch National President; the Branch Vice President Federal Operations, the Branch Vice President Community Operations; the Branch Vice President Policing Operations Support; the Branch Vice President Protective Service Operations; the Branch Vice President Specialist Operations; the Branch Vice President International Operations and the Branch Chief Executive Officer; then the Branch Chief Executive Officer or in the case of casual vacancy in the office of Branch Chief Executive Officer, the Branch National President shall take immediate action to have such vacancy filled provided that:



- (a) where the unexpired portion of the term of office in which the vacancy occurs does not exceed three quarters of the term, the Branch National Executive may fill such vacancy by appointment of an eligible member of the National Council; and closing date for absent vote to be lodged.
  - (b) where the unexpired portion of the term of office in which the vacancy occurs exceeds three quarters of the term, the Branch National Executive 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 secret postal ballot of the members of the Branch National Council by the Returning Officer appointed pursuant to Rule 73(f) and the Returning Officer so appointed shall determine the dates for the opening and closing of nominations and the ballot and shall report the result of the election to the next following meeting of the Branch National Executive.
  - (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 replaced.
  - (iv) In all other respects such election shall be conducted in accordance with the provisions of this Rule.
- (e) System of Voting
- (i) The system of voting in any election conducted pursuant to this rule shall be the first-past-the post system.
  - (ii) A voter shall record his/her votes by marking sequential numbers on the ballot paper, commencing with the number 1, in the squares opposite the names of the candidates so as to indicate the order of the voter's preference for each candidate, provided that failure by a voter to mark a preference beyond the number of candidates to be elected shall not invalidate the vote of that voter.
- (f) Returning Officer
- (i) At its first meeting after the certification of these Rules, the Branch National Executive shall appoint a Returning Officer for the conduct of any elections, ballots or plebiscites as may be necessary throughout the ensuing period provided that a duly appointed Returning Officer shall hold office until a successor thereto is duly appointed.
  - (ii) A Returning Officer
    - (a) need not be a member of the Branch; and
    - (b) in any event, shall not be the holder of any office in or an employee of the Federation, Branch or any Zone of the Branch.
  - (iii) In the event of a duly appointed Returning Officer being unable or unwilling to act as and when required whether during the conduct of any election ballot or plebiscite or not, the Branch National Executive shall appoint another person to act as Returning Officer for that election, ballot or plebiscite.

- (iv) The Returning Officer shall have power to appoint such assistants as he/she deems necessary provided that such assistants shall at all times be subject to the absolute control and direction of the Returning Officer.
- (g) Scrutineers

Any candidate may if he/she so desires appoint a scrutineer who is a financial member of the Branch to represent him/her at the ballot. The candidate appointing the scrutineer shall, before the closing of nominations, notify the Returning Officer in writing of the name of such scrutineer, who-

- (i) shall be entitled to be present throughout the ballot and may query the inclusion or exclusion of any vote in the count, but the Returning Officer shall have final determination of any votes or queries;
  - (ii) shall not be entitled to remove, mark, alter or deface any ballot paper or other document used in connection with the election;
  - (iii) shall not interfere with or attempt to influence any member at the time such member is casting his/her vote.
- (h) Absent Voting

A member who is entitled to vote and who will be absent during the conduct of the ballot may apply for an absent vote by lodging with the Returning Officer, prior to the Branch National Council meeting, a written request for an absent vote together with an address at which he/she can receive communications. The Returning Officer shall forward a ballot paper to the address so specified and shall notify the member of the

### **87 - BRANCH VOTING**

- (a) Voting at meetings of Branch National Council shall be by show of hands except as the Branch National Council shall decide otherwise.
- (b) Voting at meetings of the Branch National Executive shall be by show of hands or by such other method as it may from time to time decide. Each member of the Branch National Executive shall be entitled to one vote.
- (c) In the event of a member of the Branch National Council or the Branch National Executive being for any reason or at any time unable to be present at any meeting of the same or unable to exercise his/her vote or votes as a delegate under these Rules:
  - (i) he/she may appoint in writing another eligible member as his/her proxy to exercise his/her vote or votes at such meeting; or
  - (ii) failing such appointment, his/her vote or votes may be exercised on his/her behalf by any other delegate (if any) representing the same members of the Branch.
  - (iii) an eligible member under this rule 87(c) means a member of National Council in relation to National Council meetings; and a member of the National Executive in relation to National Executive meetings.
- (d) At meetings of the Branch National Council and the Branch National Executive, the Chair shall have a deliberative and casting vote.

**ELLIOTT, Mark**

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**From:** STEWART, Iain  
**Sent:** Thursday, 24 September 2009 3:28 PM  
**To:** ELLIOTT, Mark  
**Subject:** FW: Police Federation of Australia, Australian Federal Police Association - Statement sand Notice of Prescribed Information Under Reg 136  
**Attachments:** AFPA Election Statement of NoticeWD23092009.doc; AFPA Election Statement of NoticeVP23092009 - Copy.doc

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**From:** Vesna Trajanoska [mailto:Vesna.Trajanoska@afpa.org.au]  
**Sent:** Thursday, 24 September 2009 2:40 PM  
**To:** ELLIOTT, Mark  
**Cc:** Jon HuntSharman; Jim Torr; Ian Phillips  
**Subject:** Police Federation of Australia, Australian Federal Police Association - Statement sand Notice of Prescribed Information Under Reg 136

Dear Mark,

Please find attached Statement sand Notice of Prescribed Information Under Reg 136 request for elections to fill vacant position.

Please contact me by return email or by phone on 02 6285 1677 should you wish to discuss.

Many thanks.

**Vesna Trajanoska**  
Director Finance Administration  
Australian Federal Police Association  
Ph +612 6285 1677  
Fax +612 6285 2090  
Mobile +61 400 225 081  
[www.afpa.org.au](http://www.afpa.org.au)

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*This email message and any attached files may contain information that is confidential and the subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your Inbox.*



Registrar  
Australian Industrial Registry  
Level 4, 11 Exhibition Street  
Melbourne  
GPO Box 1994  
Melbourne Vic 3001

23<sup>rd</sup> September 2009

Dear Sir

STATEMENT AND NOTICE OF PRESCRIBED INFORMATION UNDER REGULATION 136

I, James Peter Torr, Chief Executive Officer of the Australian Federal Police Association Branch of the Police Federation of Australia, make the following statement:

I am the Chief Executive Officer of the Australian Federal Police Association Branch 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, and attachment B is being lodged under Subsection 189(1) of the RAO schedule

Yours truly,  
James Peter Torr  
Chief Executive Officer  
Australian Federal Police Association

Name of Offices/Positions and Zones are as follows-

The Zones of the Branch are as per Rule 67 (a) (ii):-

**Close Personal Protection Zone**  
**Intelligence Zone**  
**Uniform Protection Zone**

Name of Offices/Positions requiring election are as follows – 138 (1) (a)

The positions are for:-

<b>AFPA ZONE</b>	<b>OFFICE/POSITION</b>	<b>VACANCIES</b>	<b>TYPE</b>
Close Personal Protection Zone	Zone Coordinator	(1)	Casual Vacancy
Intelligence Zone	Workplace Delegate	(1)	Casual Vacancy
Intelligence Zone	Workplace Delegate	(1)	Casual Vacancy
Uniform Protection Zone	Workplace Delegate	(1)	Casual Vacancy

Reason for elections – 138 (1) (a)

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;

Electorate –The electorate for the direct voting system is each Zone as per Rule 66 (b):-

Roll of voters closes: Friday 09/10/09  
 Nominations Open: Friday 16/10/09  
 Nominations Close: Friday 30/10/09 (close at 5pm)  
 Ballot Opens: Monday 16/10/09  
 Ballot Close: Monday 30/10/09 (close at 10am)

***Cut off date for roll: in all cases: 7 days prior to the opening date for nominations - rule 22(g).***

Contact: Vesna Trajanoska [vesna.trajanoska@afpa.org.au](mailto:vesna.trajanoska@afpa.org.au) Ph 02 6285 1677

**ANNEXURE A**  
**Relevant AFPA Branch Rules**

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) 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.

67 - BRANCH NATIONAL COUNCIL

(a) The Branch National Council shall consist of:

(i) the Officers of the Branch; and

(ii) Workplace Delegates from each Zone, elected by and from the financial members of each Zone;

(iii) each Zone Coordinator as elected in accordance with these Rules, by financial members in each Zone.

(b) The Coordinator of a Zone shall ex officio be one of the Zone's delegates to the Branch National Council and shall be counted in the number of delegates eligible to be elected.

73 - ELECTION OF OFFICERS

(a) Tenure of Office

The Branch Chief Executive Officer and the Branch National President shall be elected by secret ballot by and from the National Council and shall take office from the declaration of their election, and shall hold office for a period of four years or until a successor thereto has been elected and taken office. Such election shall be conducted at every second biennial meeting of Branch National Council, occurring thereafter.

(aa) The Branch Officers other than the Branch Chief Executive Officer and the Branch National President shall be elected by secret ballot by and from the National Council and shall take office from the declaration of their election, and shall hold office for a period of two years or until a successor thereto has been elected and taken office. Such an election shall be conducted at every biennial meeting of Branch National Council, occurring thereafter.

(b) Qualifications for Office

A nominee for the position of the Branch National President; the Branch Vice President Federal Operations, the Branch Vice President Community Operations; the Branch Vice President Policing Operations Support; the Branch Vice President Protective Service Operations; the Branch Vice President Specialist Operations; the Branch Vice President International Operations and the Branch Chief Executive Officer; shall be a financial member of the Branch as at the date of his/her nomination and;

- (i) shall be a member of the Branch National Council; and
- (ii) nominated by two members of the Branch National Council.

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

(b) Tenure of Office

(i) Zone Coordinators and Workplace Delegates, who are Delegates to Branch National Council in accordance with Rule 66(b)(i)(a), shall be elected by secret postal ballot of all financial members within each Zone and shall take office from the completion of the Annual General meeting of the Zone in the year in which they are elected and hold office for a period of two years or until a successor thereto has been elected and taken office.

(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.

***ANNEXURE B***  
***AFPA Financial Members as at 23/9/2009***

<b>AFPA Zone</b>	<b>Count</b>
Close Personal Protection	105
Intelligence	300
Uniform Protection	358





Registrar  
Australian Industrial Registry  
Level 4, 11 Exhibition Street  
Melbourne  
GPO Box 1994  
Melbourne Vic 3001

23<sup>rd</sup> September 2009

Dear Sir

STATEMENT AND NOTICE OF PRESCRIBED INFORMATION UNDER REGULATION 136

I, James Peter Torr, Chief Executive Officer of the Australian Federal Police Association Branch of the Police Federation of Australia, make the following statement:

I am the Chief Executive Officer of the Australian Federal Police Association Branch 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 is being lodged under Subsection 189(1) of the RAO schedule

Yours truly,  
James Peter Torr  
Chief Executive Officer  
Australian Federal Police Association

Name of Offices/Positions are as follows-

Election of Officers as per Rule 73 (a):-

**Federal Operations Vice President**

Name of Offices/Positions requiring election are as follows – 138 (1) (a)

The positions are for:-

AFPA ZONE	OFFICE/POSITION	VACANCIES	TYPE
Federal Operations	Vice President	(1)	Casual Vacancy

Reason for elections – 138 (1) (a) Rule 73 (d)(i)(b)

Extraordinary Vacancy

- (i) Where an extraordinary or casual vacancy (howsoever occurring) arises in the Office of the Branch National President; the Branch Vice President Federal Operations, the Branch Vice President Community Operations; the Branch Vice President Policing Operations Support; the Branch Vice President Protective Service Operations; the Branch Vice President Specialist Operations; the Branch Vice President International Operations and the Branch Chief Executive Officer; then the Branch Chief Executive Officer or in the case of casual vacancy in the office of Branch Chief Executive Officer, the Branch National President shall take immediate action to have such vacancy filled provided that:
- (b) where the unexpired portion of the term of office in which the vacancy occurs exceeds three quarters of the term, the Branch National Executive 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.

Electorate –The electorate for the direct voting system is the National Executive as per Rule 73 (a):-

Roll of voters closes: Friday 09/10/09  
 Nominations Open: Friday 16/10/09  
 Nominations Close: Friday 30/10/09 (close at 5pm)  
 Ballot Opens: Monday 16/10/09  
 Ballot Close: Monday 30/10/09 (close at 10am)

***Cut off date for roll: in all cases: 7 days prior to the opening date for nominations - rule 22(g).***

Contact: Vesna Trajanoska [vesna.trajanoska@afpa.org.au](mailto:vesna.trajanoska@afpa.org.au) Ph 02 6285 1677

***ANNEXURE A***  
***Relevant AFP Branch Rules***

**73 - ELECTION OF OFFICERS**

(a) Tenure of Office

The Branch Chief Executive Officer and the Branch National President shall be elected by secret ballot by and from the National Council and shall take office from the declaration of their election, and shall hold office for a period of four years or until a successor thereto has been elected and taken office. Such election shall be conducted at every second biennial meeting of Branch National Council, occurring thereafter.

- (aa) The Branch Officers other than the Branch Chief Executive Officer and the Branch National President shall be elected by secret ballot by and from the National Council and shall take office from the declaration of their election, and shall hold office for a period of two years or until a successor thereto has been elected and taken office. Such an election shall be conducted at every biennial meeting of Branch National Council, occurring thereafter.

(b) Qualifications for Office

A nominee for the position of the Branch National President; the Branch Vice President Federal Operations, the Branch Vice President Community Operations; the Branch Vice President Policing Operations Support; the Branch Vice President Protective Service Operations; the Branch Vice President Specialist Operations; the Branch Vice President International Operations and the Branch Chief Executive Officer; shall be a financial member of the Branch as at the date of his/her nomination and;

- (i) shall be a member of the Branch National Council; and
- (ii) nominated by two members of the Branch National Council.

(c) Manner of Election

- (i) The Returning Officer, appointed in accordance with Rule 73(f) shall call for nominations for the position of the Branch National President; the Branch Vice President Federal Operations, the Branch Vice President Community Operations; the Branch Vice President Policing Operations Support; the Branch Vice President Protective Service Operations; the Branch Vice President Specialist Operations; the Branch Vice President International Operations and the Branch Chief Executive Officer; sixty days prior to the meeting of Branch National Council, in an election year, provided that nominations for the position shall close seven days prior to such meeting.
- (ii) The election of the Branch Officers shall commence immediately upon the commencement of the afternoon session of the second day of the Branch National Council Meeting occurring in an election year. At that time the Returning Officer, appointed in accordance with Rule 73(f) shall call for nominations for the position and conduct the election in a manner consistent with the provisions of this Rule.

- (iii) If only one nomination for a position is received by the Returning Officer, the nominee shall be declared elected. If two or more nominations are received the Returning Officer shall forthwith conduct a ballot of Branch National Council members in accordance with this Rule and declare the result as soon as it becomes available.
  - (iv) Nominations shall be in writing, signed by the nominee and two nominators (who shall be members of the Branch National Council) and shall be delivered to the Returning Officer.
  - (v) The Returning Officer shall check all nominations received for compliance with the requirements of these Rules and shall reject any that do not so comply, provided that in the event of the Returning Officer finding a defect in any nomination, the Returning Officer shall, before rejecting the nomination, notify the person concerned of the defect and, where it is practicable to do so, give the nominee the opportunity of remedying the defect where practicable within a reasonable period of the nominee having been so notified.
  - (vi) If more nominations are received than there are vacancies for a position the Returning Officer shall have ballot papers prepared containing the names of the candidates for each position in order determined by lot indicating the number to be elected to each position, the manner in which votes shall be recorded and the date and the time of closing of the ballot.
  - (vii) The Returning Officer shall be responsible for the safe custody of the ballot papers and shall initial every ballot paper prior to distribution.
  - (viii) The Returning Officer shall provide a ballot paper to each member of the Branch National Council in attendance at the meeting who is eligible to vote and shall arrange for the use of a receptacle to which ballot papers shall be returned to him/her and after the closing of the ballot the Returning Officer shall collect the ballot papers from such receptacle.
  - (ix) Upon collecting the same the Returning Officer shall, in the presence of the scrutineers (if so requested) count all the votes cast and, subject to Clause (c)(x) of this Rule, declare the result of the ballot.
  - (x) In the event of a tie occurring, the result shall be determined by the Returning Officer drawing lots in the presence of the tied candidates.
  - (xi) Upon declaration of the ballot, the Returning Officer shall seal and retain all ballot papers for a period of twelve months after the conduct of the ballot.
- (d) Extraordinary Vacancy
- (i) Where an extraordinary or casual vacancy (howsoever occurring) arises in the Office of the Branch National President; the Branch Vice President Federal Operations, the Branch Vice President Community Operations; the Branch Vice President Policing Operations Support; the Branch Vice President Protective Service Operations; the Branch Vice President Specialist Operations; the Branch Vice President International Operations and the Branch Chief Executive Officer; then the Branch Chief Executive Officer or in the case of casual vacancy in the office of Branch Chief Executive Officer, the Branch National President shall take immediate action to have such vacancy filled provided that:

- (a) where the unexpired portion of the term of office in which the vacancy occurs does not exceed three quarters of the term, the Branch National Executive may fill such vacancy by appointment of an eligible member of the National Council; and closing date for absent vote to be lodged.
  - (b) where the unexpired portion of the term of office in which the vacancy occurs exceeds three quarters of the term, the Branch National Executive 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 secret postal ballot of the members of the Branch National Council by the Returning Officer appointed pursuant to Rule 73(f) and the Returning Officer so appointed shall determine the dates for the opening and closing of nominations and the ballot and shall report the result of the election to the next following meeting of the Branch National Executive.
  - (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 replaced.
  - (iv) In all other respects such election shall be conducted in accordance with the provisions of this Rule.
- (e) System of Voting
- (i) The system of voting in any election conducted pursuant to this rule shall be the first-past-the post system.
  - (ii) A voter shall record his/her votes by marking sequential numbers on the ballot paper, commencing with the number 1, in the squares opposite the names of the candidates so as to indicate the order of the voter's preference for each candidate, provided that failure by a voter to mark a preference beyond the number of candidates to be elected shall not invalidate the vote of that voter.
- (f) Returning Officer
- (i) At its first meeting after the certification of these Rules, the Branch National Executive shall appoint a Returning Officer for the conduct of any elections, ballots or plebiscites as may be necessary throughout the ensuing period provided that a duly appointed Returning Officer shall hold office until a successor thereto is duly appointed.
  - (ii) A Returning Officer
    - (a) need not be a member of the Branch; and
    - (b) in any event, shall not be the holder of any office in or an employee of the Federation, Branch or any Zone of the Branch.
  - (iii) In the event of a duly appointed Returning Officer being unable or unwilling to act as and when required whether during the conduct of any election ballot or plebiscite or not, the Branch National Executive shall appoint another person to act as Returning Officer for that election, ballot or plebiscite.

- (iv) The Returning Officer shall have power to appoint such assistants as he/she deems necessary provided that such assistants shall at all times be subject to the absolute control and direction of the Returning Officer.
- (g) Scrutineers

Any candidate may if he/she so desires appoint a scrutineer who is a financial member of the Branch to represent him/her at the ballot. The candidate appointing the scrutineer shall, before the closing of nominations, notify the Returning Officer in writing of the name of such scrutineer, who-

- (i) shall be entitled to be present throughout the ballot and may query the inclusion or exclusion of any vote in the count, but the Returning Officer shall have final determination of any votes or queries;
  - (ii) shall not be entitled to remove, mark, alter or deface any ballot paper or other document used in connection with the election;
  - (iii) shall not interfere with or attempt to influence any member at the time such member is casting his/her vote.
- (h) Absent Voting

A member who is entitled to vote and who will be absent during the conduct of the ballot may apply for an absent vote by lodging with the Returning Officer, prior to the Branch National Council meeting, a written request for an absent vote together with an address at which he/she can receive communications. The Returning Officer shall forward a ballot paper to the address so specified and shall notify the member of the

## **87 - BRANCH VOTING**

- (a) Voting at meetings of Branch National Council shall be by show of hands except as the Branch National Council shall decide otherwise.
- (b) Voting at meetings of the Branch National Executive shall be by show of hands or by such other method as it may from time to time decide. Each member of the Branch National Executive shall be entitled to one vote.
- (c) In the event of a member of the Branch National Council or the Branch National Executive being for any reason or at any time unable to be present at any meeting of the same or unable to exercise his/her vote or votes as a delegate under these Rules:
  - (i) he/she may appoint in writing another eligible member as his/her proxy to exercise his/her vote or votes at such meeting; or
  - (ii) failing such appointment, his/her vote or votes may be exercised on his/her behalf by any other delegate (if any) representing the same members of the Branch.
  - (iii) an eligible member under this rule 87(c) means a member of National Council in relation to National Council meetings; and a member of the National Executive in relation to National Executive meetings.
- (d) At meetings of the Branch National Council and the Branch National Executive, the Chair shall have a deliberative and casting vote.