

20 December 2018

**Mr Neil Kean**

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

**Post-Election Report E2018/222**

I refer to your post-election report dated 8 August 2018.

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 the Rules:

- 96(e)(ii)

Part D of the current rule book was endorsed by the AFPA National Council on 21 March 2017 and certified by the delegate of the General Manager of the Fair Work Commission on 25 May 2017.

Amendments are currently being drafted for the consideration of the Biennial National Council on 20 and 21 March 2019 to address this matter and other matters raised in recent post-election reports provided by the AEC.

Yours Sincerely,



**Adrian Smith,**  
Branch Secretary/Treasurer

6 December 2018

**Police Federation of Australia**  
Australian Federal Police Association  
Casual Vacancy election  
E2018/222

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# Election(s) Covered in this Report

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Organisation: Australian Federal Police Association  
Election: Casual Vacancy  
Election Decision No/s: E2018/222

## Rules

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Rules used for the election: 200V: Incorporates alterations of 17 May 2018 [R2018/47] (replaces rulebook dated 8 August 2017 [R2017/76])

Rules difficult to apply/interpret: Rule 96 (e) (ii) – The rule states that nominations shall be delivered to the Returning Officer at the Office of the Branch. It is highly recommended that the Association considers changing this rule to state simply that nominations must be delivered to the Returning Officer, similar to Rule 73 (c) (iv).

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](https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections))

## Roll of Voters

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As there were no contested offices, no Roll of Voters was required.

## Irregularities

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

Other irregularities identified, and action taken: Nil

## Other Matters

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Returning Officer actions required (Section 193):

As rules make no provision for withdrawal of nominations S.193 Decision was required to not allow withdrawal of nominations after close of nominations in accordance with AEC policy.

## Signed

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Neil Kean  
Returning Officer  
Australian Electoral Commission  
E: nswelections@aec.gov.au  
P: 02 9375 6362  
6 December 2018

## Attachments

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A. Declaration of Results for Uncontested Offices

**Police Federation of Australia**  
**Australian Federal Police Association**  
**DECLARATION OF RESULTS - E2018/222**  
**Uncontested Offices**

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**Casual Vacancy 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:

**PSO Zone**

**PSO Zone Workplace Delegate/Delegate to National Council (1)**

Candidates

*No Nominations Received*

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



Neil Kean  
Returning Officer  
Telephone: 02 9375 6362  
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06/12/2018





## DECISION

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

**Police Federation of Australia**  
(E2018/222)

MR ENRIGHT

MELBOURNE, 2 NOVEMBER 2018

*Arrangement for conduct of election.*

[1] On 11 October 2018 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 office, due to insufficient nominations received in a previous election (**E2018/121**):

PSO Zone Workplace Delegate/Delegate to National Council (1)

[2] I am satisfied that an election for the abovenamed office 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

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<PR351204>

**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 (the Branch).
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The offices for which an election is required are set out in Annexure A as are the reason for the election, the number of persons to be elected, the electorate and the manner of election.

Signed:



**AFPA**  
**Secretary/Treasurer**  
Dated: 10 October 2018



**Annexure A**

- Elections that are required:

<b>Branch</b>	<b>Name of Office</b>	<b>Number required</b>	<b>Voting System</b>	<b>Reason for Election</b>	<b>Electorate</b>
			<i>Direct voting system; Collegiate electoral system</i>	<i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	
AFPA	<i>PSO Zone Workplace Delegate/Delegate to National Council</i>	1	<i>Direct First past the post secret Ballot</i>	<i>Insufficient Nominations</i>	<i>AFPA Zone Election Rule 95</i>

- Important dates:

	<b>Direct Voting System</b>	
<b>Nominations OPEN</b>	<i>to be determined by the returning officer</i>	
<b>Nominations CLOSE</b>	<i>to be determined by the returning officer</i>	
<b>Roll of Voters cut off date</b>	<i>to be determined by the returning officer</i>	

Please note: that for insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as 'to be determined by the returning officer'. Casual vacancies must be accompanied by proof of resignation and attached to this statement.