



23 January 2017

Mr Scott Weber
President
Police Federation of Australia-New South Wales Police Branch
Scott.Weber@pansw.org.au

Dear Mr Weber,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Fair Work Commission (the Commission) a declaration of results for the election contested office / Ordinary Member Branch Executive (1) for Central Metropolitan Region Area Two [E2016/206]. 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 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 154D(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires the rules of organisations (and branches of organisations) to require each officer with financial management duties to undertake approved training that covers those duties within 6 months after the person begins to hold office. Please ensure that relevant officers undertake approved training within the required timeframe. A list of approved training providers is attached.

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

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-New South Wales Police 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;

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Melbourne VIC 3000
GPO Box 1994
Melbourne VIC 3001

Telephone:
Email : orgs@fwc.gov.au
Internet : www.fwc.gov.au

- 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.

Regards

Debbie Ball
Regulatory Compliance Branch

List of approved governance training packages

Approved training material	Provider	Contact person	Contact details
AHAWA Governance and Financial Training	Australian Hotels Association (WA Branch)	Mr Bradley Woods	(08) 9321 7701 ceo@ahawa.asn.au
APTIA Governance and Financial Training Package	Australian Public Transport Industrial Association	Mr Ian MacDonald	(02) 6247 5900 imacdonald@bic.asn.au
Handbook for Councillors of the Australian Industry Group	Australian Industry Group (for provision to Ai Group Councillors only. Not for external parties)	Ms Jenifer Leuba	(03) 9867 0174 jenifer.leuba@aigroup.asn.au
The Australian Workers' Union Professional Training Program Financial Duties of Officers	Australian Workers' Union	General enquiries	(02) 8005 3333 members@nat.awu.net.au
In-Boardroom: Governance and Finance for Registered Organisations	Australian Institute of Company Directors	Various	AICD state-based contacts
ACTU s.154C Training— Union Governance	Australian Council of Trade Unions (ACTU)	Organising Centre Enquiries	(03) 9664 7360 orgcentre@actu.org.au
Governance of Registered Organisations	Weston Woodley & Robertson Chartered Accountants	Mr Dennis Robertson	(02) 9264 9144 dennisr@wwr.com.au
Governance and Financial Accountability for Registered Organisations	Local Government New South Wales	Ms Sarah Artist	(02) 9242 4182 learning@lgnsw.org.au
Australian Hotels Association Financial Management Training	Australian Hotels Association (for provision to AHA officers only. Not for external parties)	Mr Stephen Ferguson	(02) 6273 4007 ceo@aha.org.au
Governance and Finance Training for Registered Organisations	Dickson Wohlsen Pty Ltd, trading as CTA Training	Mr Tom Streater	(07) 3878 9355 tom@dws.net.au
The Registered Organisation Training Act for Organisations and Boards	Vibe Public Relations Consultancy	Ms Anne Andrews	0400 021 679 vibeprctraining@bigpond.com
Training Course for Registered Organisations - Governance and Finance	Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries and Racecourse, Public Authorities, Water Boards Union	Mr Andrew Johnson	andrew.johnson@lgrceu.org
MTAQ Registered Organisation Governance Course	Motor Trades Association of Queensland Industrial Organisation of Employers	Mr Paul Murray	paulm@mtaq.com.au

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

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

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

[delete all that do not apply]

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

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

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

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a) & (d)

³ s.230(1)(d); reg.147(b) & (c)

ANNEXURE A

- Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:
Please note the 35 days begins at the earliest event (for instance when the officer retires) and an organisation may need to notify the events separately if the appointment or election process will take longer than 35 days.

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder	Occupation of <u>New</u> Office Holder
National	1.1.2014	Secretary	Full Name	Full Name	c/- the Registered Organisation, postal address of Registered Organisation	Paid official
	25.12.2013	President	vacant	Full Name	As above	mechanic
...						
NSW	1.1.2014 (resigned) 7.1.2014 (appointed)	President	Full Name	Full Name	c/- the Branch, postal address of the Branch	mechanic
		Committee of Management Member	Full Name	Full Name	As above	mechanic
		Treasurer	Full Name	vacant	vacant	vacant
...						



23 January 2017

Mr Scott Weber
President
Police Federation of Australia-New South Wales Police Branch
Scott.Weber@pansw.org.au

Dear Mr Weber

Organisation must respond to the post-election report of the Australian Electoral Commission: E2016/206

On 25 November 2016 the Fair Work Commission (the Commission) received a Post Election Report from the Australian Electoral Commission (AEC) for election E2016/206 dated 25 November 2016. The AEC will have also provided the report to the organisation under section 197 of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The report identifies rules that were difficult to interpret or apply, in particular rule(s) 52 EH(g). This letter serves as a reminder of the obligations imposed on the organisation or branch as a consequence of the AEC's report. If a response has already been sent to the AEC and made available to all members please disregard this letter.

A notice must be published on the organisation's website

The organisation or branch must 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 regs 141(4) and (5)).

A written response must be provided to the AEC

A written response must be provided to the AEC within 30 days of receipt of the report. The organisation's response must include whether the organisation or branch intends to take action and if so what action the organisation or branch intends to take (s198(2)).

Extract of report must be made available to members

The organisation or branch must make the section of the report relating to the difficult rules available to its members (s198(3)). This extract from the report must be made available to the members before or at the same time as the organisation's response is made available to members.

Written response must be made available to members

A copy of the organisation's response to the AEC must be made available to members either:

- within 30 days after the response is given to the AEC, or
- published in the next edition of the organisation or branch journal (s198(5))

Subsection 198(6) and regulation 142 prescribe ways in which the relevant extract and the copy of the response can be made available to members. These do not limit the ways in which they can be made available to members. The organisation will comply if it does all of the following:-

- publish the report extract and the copy of the response in the next edition of the organisation or branch's journal; and

- within 30 days of giving the response to the AEC:
 - lodges with the Commission a copy of the relevant extract and response, together with a declaration that a copy will be provided to any member who so requests; and
 - give notice in the next edition of the organisation or branch's journal, or an appropriate newspaper, that a copy of the relevant extract and response are available on request to each member free of charge; and
- publish the relevant extract on the website within 14 days after receiving the report, and publish the response on the website within 14 days of giving the response to the AEC (reg 142(2)).

Penalties may apply

If the organisation or branch does not:

- respond to the AEC within 30 days,
- make the extract of the report relating to the rules available to members no later than the organisation's response is made available to members, or
- make the organisation's response available to members within 30 days or in the next edition of the journal,

the organisation may face penalties under the RO Act. Each requirement listed above is a civil penalty provision that may result in fines for the organisation

As noted above, if the response and report have already been made available to members and the AEC, please disregard this letter. If you have any questions in relation to these obligations please contact the Commission for assistance by email to orgs@fwc.gov.au.

If the organisation or branch decides to alter its rules in response to the AEC's report

If the organisation or branch decides to alter its rules in response to the AEC's report, the Regulatory Compliance Branch of the Commission is able to provide advice and assistance regarding draft alterations, as well as about the processes required to make the alterations. We encourage the organisation or branch to forward drafts of proposed alterations to orgs@fwc.gov.au

Yours sincerely

Debbie Ball

Regulatory Compliance Branch



Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Police Federation of Australia

New South Wales Police Branch

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2016/206

RULES

Rules used for the election: 200V: Incorporates alterations of 17/8/2016 [R2016/92 & R2016/126] (replaces rulebook dated 28/1/2016 corrected on 17/6/2016 [R2015/202, R2015/248 & R2015/261])

This report relates to only "Part CE – New South Wales Police Branch" of the rules.

Rules difficult to apply/interpret: Rule 52 EH (g) – delete "before the closing of nominations".

It is often impractical to nominate scrutineers prior to the close of nominations. This rule does not allow for substitution should scrutineers become unavailable. Deleting this part of the rule would allow for consistency with other elections in the NSW Police Branch, which do not have the same limitations.

Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: 1110

Number of apparent workplace addresses: 182

Number of non-current addresses: 0

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



ATTACHMENTS

1. Contested declaration of results PFANSW - E2016/206

A handwritten signature in black ink, appearing to read "Renee".

Renee Damasena
Returning Officer

25 November 2016

**Police Federation of Australia
New South Wales Police Branch - Vacancy election**

Declaration of Results for Contested Offices

E2016/206

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

Central Metropolitan Region Area Two

Total number of names on the roll of voters	1110
Ballot papers issued	1110
Replacement ballot papers issued	1
Total Ballot Papers Issued	1111
Ballot papers / envelopes returned for scrutiny	134
Less ballot papers / envelopes rejected at preliminary scrutiny	2
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	132
Percentage of ballot papers returned to number issued	12%
Ballot papers returned as unclaimed mail	34
Ballot papers not returned	943

Ordinary Member Branch Executive

<u>Candidates</u>	<u>Votes</u>
PRATT, Dallas	90
GORICK, Glenn Stanley	41
Total votes	132
Formal ballot papers	131
Informal ballot papers	1

I declare Dallas Pratt elected.



Renee Damasena
Returning Officer
Australian Electoral Commission
25 November 2016



DECISION

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

Police Federation of Australia
(E2016/206)

MR ENRIGHT

MELBOURNE, 15 SEPTEMBER 2016

Arrangement for conduct of election.

[1] On 5 August 2016 the New South Wales Police Branch of the Police Federation of Australia lodged with the Fair Work Commission the prescribed information in relation to an election to fill a casual vacancy in the following office, for the remainder of the term of office:

Ordinary member of the Branch Executive: Central Metropolitan Region Area Two

[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 GENERAL MANAGER

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Copy of Prescribed Information

Title of Matter: Application/Notification by Police Federation of Australia-New South Wales
Police Branch
Section: s.189(1) RO Act - Notification of elections for office - Casual vacancy or
insufficient nominations
Subject: Ordinary member of branch exec (1)
Matter Number(s): E2016/206

Attn: Electoral Officer

A copy of the Prescribed Information in relation to the above matter is attached for your information.

The election decision will be forwarded to your office in due course.

Inquiries:

Any inquiries relating to this are to be directed to: orgs@fwc.gov.au.

5 AUGUST 2016

POLICE FEDERATION OF AUSTRALIA NEW SOUTH WALES POLICE BRANCH

Level 4
154 Elizabeth Street
SYDNEY NSW 2000

Telephone : (02) 9265 6777
Facsimilie : (02) 9265 6789

STATEMENT IN ACCORDANCE WITH

SUBSECTION 189 (1) OF THE ACT

I, Scott Weber, Branch President, hereby state that I am authorised to lodge the prescribed information in accordance with subsection 189 (1) of the Act on behalf of the Police Federation of Australia, New South Wales Police Branch.

I say that the information lodged is in accordance with subsection 189 (1) of the Act.

Dated: 5 August 2016

Scott Weber



Branch President

Fair Work (Registered Organisations) Act, 2009

Fair Work Australia

Prescribed Information

The Police Federation of Australia, New South Wales Police Branch, hereby gives notice as follows:

a) In accordance with rule 52 EH (h) an election is required for a position of Ordinary Branch Executive Member Central Metropolitan Region Area 2. The period of office intended to be filled via the election is the remainder of the term of office.

b) The election is required as the incumbent, Mick Alders, has resigned his position as an Ordinary Branch Executive member effective 4 August 2016. A copy of his resignation letter is attached and marked A.

c) The electorate comprises only financial members of the Central Metropolitan Region Area 2 of the Police Federation of Australia, New South Wales Police Branch. Rule 52 EG (b) (i) (1).

d) The rules do not specifically prescribe the time for the closure of the electoral roll for an election for an extraordinary vacancy. Rule 52EG (e) (i) (a) prescribes that the electoral roll of members will close seven (7) days before the calling of nominations in respect to scheduled elections.

e) The returning officer shall determine the dates for the opening and closing of nominations and the opening and closing of the ballot. Rule 52 EH (h) (ii).

f) The kind of voting system to be used in the conduct of the election is a direct voting System. Rule 52 EG (e) (iii).

Dated: 5 August 2016

Scott Weber



Branch President