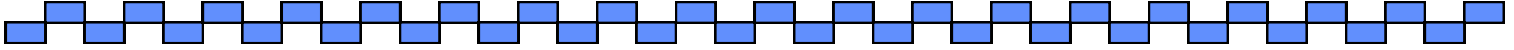


POLICE FEDERATION OF AUSTRALIA NEW SOUTH WALES POLICE BRANCH

Level 4
154 Elizabeth Street
SYDNEY NSW 2000

Telephone : (02) 9265 6777
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PG: PFA/Elections/PFA Delegates
Ref: E2019/236, E2021/66
8 March 2022

Ms. T. Nguyen
Returning Officer
Australian Electoral Commission

Dear Ms. Nguyen

Police Federation of Australia NSW Police Branch Elections

I refer to your Post Election Reports for the elections E2019/236 and 2021/66 for the position of Branch Delegate to Federal Council.

Having considered the report including rules that were difficult to apply/interpret I can confirm that, at the June meeting of the Branch Executive I will propose Branch Rule changes to;

- Insert a defect period in compliance with s143(1)(c) of the Fair Work (RO) Act
- Mirror model rule 14.1.4 regarding drawing of lots.

I will cause your reports and this reply to be published on our website.

Yours faithfully

Pat Gooley
Branch Administrator

11 February 2022

Post-Election Report

Police Federation of Australia

PFA - New South Wales Police Branch

Casual Vacancy election

E2021/66

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Election(s) Covered in this Report

Organisation: PFA - New South Wales Police Branch
Election: Casual Vacancy
Election Decision No/s: E2021/66

Rules

Rules used for the election: 200V: Incorporates alterations of 13 July 2021 [R2021/31]
(replaces rulebook dated 21 June 2021 [R2021/35])

Rules difficult to apply/interpret: Yes

52EG.e.xi.b The full names of candidates, for election for an office shall appear on the ballot paper for that election, shall have been drawn by ballot, at the close of the nominations or, in relation to candidates whose family names are identical, in the alphabetical order of their first or given names

The rule was difficult to apply at close of nominations since the rules does not account for a defect period. Section 143(1) (c) of the Fair Work (RO) Act 2009 mandates that there must be at least a 7 day period to remedy any defects. The order of candidate names can only be drawn after close of nominations and any defect period that may be in effect.

Model Rule reference (if any):

14.1.4 The order of names in each ballot on the ballot paper shall be determined by lot drawn by the returning officer.

For more details see the Model Rules on the AEC website: www.aec.gov.au/ieb/

Other Matters

Returning Officer actions required (Section 193): Yes

Details:

- Rules specifying the method of lodgement of nominations and candidate statements are set aside as the AEC held concerns that the coronavirus pandemic would impact on the ability for potential candidates to nominate. Instead, nominations will be received electronically, via email/the AEC's portal.
- Rules regarding the timetable of the election were set aside as the AEC held concerns that the coronavirus pandemic may impact on the ability for stakeholders to fully participate in the election. A timetable for the conduct of the ballot which varied from the rules was set when the AEC was satisfied that stakeholders would be able to fully participate.
- Ballot draw was not conducted at close of nomination as per Rule 52EG.e.xi.b. Ballot draw was conducted after close of nomination.

Signed

Tiffany Nguyen
Returning Officer
Australian Electoral Commission
E: IEEvents@aec.gov.au
P: 02 9375 6395
11 February 2022

Attachments

- A. E2021/66 - PFA NSW - Declaration of Results Contested Offices - Stage 1
- B. E2019/236 and E2021/66 - PFA NSW - Declaration of Results Contested Offices - Stage 2

Police Federation of Australia
New South Wales Police Branch
DECLARATION OF RESULTS – E2019/236 and E2021/66 - Stage 2
Contested Offices

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:

Branch Executive

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	18
Number of voters issued with voting material	18
Total number of voters issued with replacement voting material	0
Total number of voting material packs issued	18
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	12
Number of declaration envelopes rejected at preliminary scrutiny (minus)	1
Number of ballot papers returned outside declaration envelopes (minus)	0
COUNT	
Total ballot papers admitted to the count	11
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	1
Voting material packs not returned by voters by closing date of the ballot	5
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	67 %

Delegate to Federal Council (2)

Candidates	Final Votes
CAMPTON, Roger	8
MCDONALD, Stephen Andrew	6
ALLWOOD, Ian Stanley	8
Total ballot papers admitted for this office	11
Formal Ballot papers	11
Informal Ballot papers	0

I declare the following elected:

- CAMPTON, Roger
- ALLWOOD, Ian Stanley

Tiffany Nguyen, Returning Officer
 Telephone: 02 9375 6395
 Email: IEBevents@aec.gov.au
 14/01/2022

Police Federation of Australia
New South Wales Police Branch
DECLARATION OF RESULTS - E2021/66 - Stage 1
Contested Offices

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:

Non-Local Area Command Region Area Four

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	1,226
Number of voters issued with voting material	1,226
Total number of voters issued with replacement voting material	0
Total number of voting material packs issued	1,226
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	144
Number of declaration envelopes rejected at preliminary scrutiny (minus)	2
Number of ballot papers returned outside declaration envelopes (minus)	0
COUNT	
Total ballot papers admitted to the count	142
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	0
Voting material packs not returned by voters by closing date of the ballot	1,082
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	12 %

Ordinary Member of Branch Executive (1)

<u>Candidates</u>	<u>Final Votes</u>
FORAN, Peter William	91
WATTS, David Llewellyn	12
CLEGG, Nathan	37
Total ballot papers admitted for this office	142
Formal Ballot papers	140
Informal Ballot papers	2

I declare the following elected:

- FORAN, Peter William

Tiffany Nguyen
Returning Officer
Telephone: 02 9375 6395
Email: IEEvents@aec.gov.au
11/11/2021





DECISION

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

Police Federation of Australia
(E2021/66)

MR STEENSON

SYDNEY, 3 MAY 2021

Arrangement for conduct of election.

[1] On 1 April 2021 the Police Federation of Australia-New South Wales Police Branch lodged with the Registered Organisations Commission prescribed information for an election to fill casual vacancies in the following offices for the remainder of the term:

Delegate to Federal Council (1)

Ordinary Member of Branch Executive from the following region:

Non-Local Area Command Region (Area Four) (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 COMMISSIONER

Printed by authority of the Commonwealth Government Printer

PR351932

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, Anthony King, being the Branch President of the Police Federation of Australia New South Wales Police Branch make the following statement:

1. I am authorised to sign this statement containing prescribed information for Police Federation of Australia New South Wales Police Branch.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. The resignation letter or other supporting information is attached for each casual vacancy.
5. No rule alterations are pending that will impact the election.
6. This statement **IS** lodged at least 2 months before nominations open for the election(s) in Annexure A.
7. *If the number of elected representatives is calculated on a formula(s) defined in the rules]: N/A*

A handwritten signature in black ink, consisting of the letters 'T' and 'K' followed by a stylized flourish.

Signed:

Dated: 1 April 2021

Annexure A

- Elections that are required [insert as many pages as required]

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
New South Wales Police Branch	Ordinary Branch Executive Member Non-Local Area Command Area 4	1	Direct Voting System	Casual vacancy	<i>Financial Non Commissioned Officer members of the Non Local Area Command Area 4 of the Police Federation of Australia, New South Wales Police Branch. – Rule 52EG(e(iv))E</i>
New South Wales Police Branch	Branch Delegate to Federal Council	1	Collegiate electoral system	Casual vacancy	Rule 52ERB - delegate positions shall be elected by and from the Branch Executive in accordance with rule 52EH, mutatis mutandis

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	To be determined by the Returning Officer – Rule 52EH(h)(ii)	To be determined by the Returning Officer – Rule 52EH(h)(ii)
Nominations CLOSE	To be determined by the Returning Officer Rule 52EH(h)(ii)	To be determined by the Returning Officer Rule 52EH(h)(ii)
Roll of Voters cut-off date	The electoral roll of members will close seven (7) days before the calling of nominations. Rule 52EH(h)(ii)(a)	The electoral roll of members will close seven (7) days before the calling of nominations. Rule 52EH(h)(ii)(a).

NOTES: 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'. This also applies where rules are silent as to the nominated dates.

If the nomination dates are 'To be Determined by the Returning Officer', but your organisation has a *preference*, please state 'To be Determined by Returning Officer' and clearly indicate that your nominated date is a preference.

If the P.I. includes a position that is not an office, please refer to our template [Prescribed information for the election of officer and non-officer positions](#).