

Police Federation of Australia Northern Territory Police Branch

DECLARATION OF RESULTS FOR UNCONTESTED OFFICE

Results of the election for the following office conducted in accordance with the provisions of the Fair Work (Registered Organisations) Act 2009 and the rules of the organisation the rules of the organisation.

E2013/158

Branch Delegate to Federal Council (1)

Candidate

LLOYD, Tim

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

Chris Roper
Returning Officer

13 June 2013



Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Police Federation of Australia Northern Territory Police Branch

ELECTION COVERED IN THIS REPORT

Election Decision No: E2013/158

RULES

Rules used for the election: 200V: Incorporates alterations of 31/1/13 [R2013/1]

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

ROLL OF VOTERS

As there was no contested office, no Roll of Voters was required.

ALLEGATIONS OF IRREGULARITIES RECEIVED

Details of written allegations of irregularities, and action taken by AEC: None

Other irregularities identified, and action taken: None

ATTACHMENT

Declaration of Results – Uncontested Office

Chris Roper
Assistant Manager
Elections Services

17 June 2013



GPO Box 21
DARWIN NT 0801



Level 7, TCG Centre
80 Mitchell Street
DARWIN NT 0800

Reference: D13/10

Contact: Chris Roper
Phone: 08 8982 8038
Facsimile: 08 8982 8025
E-mail: chris.roper@aec.gov.au

Vince Kelly
Branch President
Police Federation of Australia
GPO Box 2350
DARWIN NT 0801

**Post Election Report For: Police Federation of Australia – Northern Territory Police
Branch
Election E No.2013/158**

I refer to the above election for your organisation.

Section 197(1) of the Fair Work (Registered Organisations) Act 2009 requires the AEC to provide a written report on the conduct of the election to the Industrial Registrar and to the organisation or branch for whom the election was conducted. A copy of the report in relation to this election is attached.

Section 198 of the Fair Work (Registered Organisations) Act 2009 requires that if an organisation or branch is given a post election report under section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take.

If the attached Report identifies a rule that was difficult to interpret or apply, you should forward your response to the AEC by email to 'industrial.elections@aec.gov.au' within thirty days of the date of the report.

Section 198 and the regulations also require an organisation to make the post election report and the organisation's response to the report (if applicable) available to members.

Further, Regulation 141(4) of the Fair Work (Registered Organisations) Regulations 2009 requires an organisation or branch to publish a notice on its web site advising members that a copy of the post election report is available upon request. If a website is not available, publishing a notice in a journal or newsletter would be considered appropriate.

Please contact me if you wish to clarify any aspect of this report.

Chris Roper
Assistant Manager
Elections Services

17 June 2013



DECISION

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

Police Federation of Australia - Northern Territory Police Branch (E2013/158)

LINTON DUFFIN

MELBOURNE, 5 APRIL 2013

Arrangement for conduct of election.

[1] On 2 April 2013 the Northern Territory Police Branch of the Police Federation of Australia lodged with the Fair Work Commission the prescribed information in relation to an election for the following office:

Branch Delegate to the Federal Council

[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 COMMISSION

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NORTHERN TERRITORY POLICE ASSOCIATION

2 April 2013

Our Ref: 0003/13

Your Ref: E2012/ 431-W12/ 191

Ms Sarah Wilkin
Regulatory Compliance Branch
Fair Work Commission
[By email: sarah.wilkin@fwc.gov.au]

Dear Ms Wilkin,

REQUEST FOR ELECTION OF BRANCH DELEGATE

The Delegate of the General Manager, Fair Work Commission determined on 22 January 2013 for the arrangement for the conduct of elections for the Northern Territory Branch of the Police Federation of Australia for the following offices:

- Vice President (1)
- Branch Executive Members (5)

Section 187 of the *Fair Work (Registered Organisations) Act 2009* provides for a registered organisation such as ours to request the Australian Electoral Commission to conduct an election for a position other than an office in the organisation.

Rule 52 DO (14) of the NT Branch of the Police Federation of Australia Rules (the Rules) provides for the "Election of Branch Delegates to Council". Pursuant to that rule the President is one delegate to council. An election is required pursuant to Rule 52DO at the conclusion of the Branch elections for one Branch Delegate to Federal Council.

The following information is provided in accordance with Regulation 138 of the Fair Work (Registered Organisations) Regulations 2009:

- (a) The name of the office is Delegate to the Police Federation of Australia Council;

- (b) The reason for the election is that the term of the position is due to expire in the normal course of events;
- (c) There is only one office vacancy of Delegate to be filled, the other position being filled by the President of the NT Branch of the PFA (Rule 52DO(14));
- (d) The electorate comprises only the Executive members of the NT Branch of the PFA (Rule 52DO(14)(a));
- (e) Nominations for the position of Branch Delegate to Federal Council shall be called as soon as possible after the declaration of the election of Branch Executive members and shall close at 5.00 p.m. on the day before the first Branch Executive Meeting following the election of incoming Executive members (Rule 52DO(14)(b));
- (f) The Rules do not provide for the day on which the roll of voters is to be closed and is at the discretion of the Returning Officer however the effect of the voting system to be used is that the roll of voters closes with the declaration of successful candidates to the positions declared vacant on the PFA NT Branch Executive in each year that voting for the PFA Council Delegate falls due; and
- (g) The type of voting is “collegiate” (Rule 52DO(14)(a));

I therefore ask that you arrange for the carrying out of the above election.

A copy of this request has been forwarded to the General Manager, Fair Work Australia in accordance with section 187(s) of the *Fair Work (Registered Organisations) Act 2009*.

Yours Sincerely



Vince Kelly APM
President