



3 December 2015

Mr Ian Leavers
Branch President
Police Federation of Australia - Queensland Police Branch
mbarnes@qpu.asn.au

Dear Mr Leavers,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Commission a declaration of results for the election [E2015/150]. This letter is a reminder of certain obligations imposed on organisations and persons elected to office.

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.

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.

Also, section 233(2) of the RO Act requires that an organisation must notify the Fair Work Commission (the Commission) within 35 days of any changes to the holders of office in the organisation. If the election has resulted in any changes to the holders of office, the Police Federation of Australia - Queensland 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;
 - 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. I have attached a template notification of changes which may assist you. If any change does not apply until a specific date, you don't 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

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/CEASED operation:
 1. [include name of each new 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	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Retiring</i>	<i>Full Name</i>	<i>c/- the Registered Organisation, postal address of Registered Organisation</i>	<i>Paid official</i>
	<i>25.12.2013</i>	<i>President</i>	<i>vacant</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
...							
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Resignation</i>	<i>Full Name</i>	<i>c/- the Branch, postal address of the Branch</i>	<i>mechanic</i>
		<i>Committee of Management Member</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
...							



Division of Fadden
Reply Paid 85718
Robina Town Centre QLD 4230



Fair Work (Registered Organisations) Act 2009 – s197

POST ELECTION REPORT

Police Federation of Australia Qld Branch Vacancy Election - Regional - E2015/150

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: **E2015/150**

RULES

Rules used for the election: *200V: Incorporates alterations of
31/03/2015 [R2015/61])
(replaces rulebook dated 19/12/2014
[R2014/15])*

Rules difficult to apply/interpret: *None*

Model Rule reference (if any): *N/A*

ROLL OF VOTERS

The Roll of Voters was supplied for those members eligible as at Close of Rolls,
Friday 19th June 2015

IRREGULARITIES

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

Other irregularities identified, and action taken: *Nil*

ATTACHMENTS

Declaration of Results for Uncontested Offices Vacancy Election dated 18 August 2015.

Kylie Edwards
Returning Officer

18 August 2015

Police Federation of Australia
QLD Branch Vacancy Election - Regional - E2015/150

Declaration of Results for Uncontested Offices

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.

Queensland Branch

Regional Representative - Northern Region

Candidates

THOMAS, Peter John

Regional Representative - North Coast Region

Candidates

WILCOX, Grant

Regional Representative - South East Region

Candidates

NOTARA, Philip john

Regional Representative - Metropolitan South Region

Candidates

COLLINS, Anthony Paul

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



Kylie Edwards
Returning Officer

18/08/2015



DECISION

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

Police Federation of Australia (E2015/150)

MR ENRIGHT

MELBOURNE, 12 JUNE 2015

Arrangement for conduct of election.

[1] On 30 April 2015 the Queensland 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 offices:

Branch Regional Representative from each of the following Regions:

Northern (1)
North Coast (1)
South East (1)
Metropolitan South (1)

Branch Vice President
Branch Treasurer
Branch Assistant Treasurers (2)

[2] On 1 June 2015 amended prescribed information was lodged with the Fair Work Commission.

[3] On 7 May 2015 the incumbent Branch Vice President, Branch Treasurer and Branch Assistant Treasurer lodged a statement to the effect that each understood that their successor would take office on the next meeting of the Branch Executive after 1 July 2015. Notwithstanding the common understanding of the office-holders regarding their current term, in my view the unambiguous meaning of rule 72, as explained below, is that their term expires in October 2016.

[4] Rule 40(a) of the Part CF2 Queensland Police Branch rules of the organisation (Part CF2 rules) provides that the term of office of the Branch Vice President, Branch Treasurer and Branch Assistant Treasurers shall commence from the date of the declaration in accordance with rule 72. Rule 72 provides that an election of those offices is to occur at the first meeting of the Branch Executive next following 1 July 2013 and subsequently each 2 years thereafter. The first Branch Executive meeting held after 1 July 2013 was held in October 2014. The terms of offices of the Branch Vice President, Branch Treasurer and

Branch Assistant Treasurers would therefore expire in October 2016. For these reasons I am not satisfied an election for those offices is due at this time.

[5] Prescribed information should be lodged with the Fair Work Commission within the time prescribed by Regulation 138 of the *Fair Work (Registered Organisations) Regulations 2009*. Rule 45(a) of the Part CF2 rules provides that the Manager fixes the opening and closing days for nominations for the Branch Regional Representatives. Rule 40(a) indicates that the term of office for those offices commences 1 July 2015. The prescribed information provides that nominations shall open on 3 June 2015. Therefore, according to the rules of the Branch, and the prescribed information, the first day when a person may become a candidate in the election is 3 June 2015. Accordingly, the prescribed information was required to be lodged before 3 April 2015. The prescribed information was lodged on 30 April 2015, over three weeks late.

[6] Rule 14 of the Part CF1 Queensland Police Branch rules of the organisation provides for the conduct of the inaugural election for Branch Conference Delegates in 2014. The Queensland Police Branch was created on 17 April 2014. Section 189(1) of the *Fair Work (Registered Organisations) Act 2009* requires an organisation or branch to lodge the prescribed information in relation to elections for its offices to be conducted by the Australian Electoral Commission. Prescribed information in relation to the election of the Branch Conference Delegates has not been lodged with the Fair Work Commission.

[7] The failure of the organisation to lodge the prescribed information before the prescribed day for the election of the Branch Conference Delegates and the failure of the organisation to lodge the prescribed information before the prescribed day for the election of the Branch Regional Representatives contravene section 189(2) of the Act which is a civil penalty provision. Failures by organisations to comply with civil penalty provisions may be the subject of applications by the Fair Work Commission for orders in the Federal Court.

[8] I understand officers of the Regulatory Compliance Branch of the Fair Work Commission are in discussion with the legal representative of the branch in relation to rule alterations which would affect when elections for the offices of Branch Vice President, Branch Treasurer, Branch Assistant Treasurer and Branch Conference Delegates would be required to be conducted.

[9] Except for the offices of Branch Vice President, Branch Treasurer and Branch Assistant Treasurers (2), I am satisfied that an election for the remaining 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

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1 June 2015

Fair Work Commission
11 Exhibition Street
MELBOURNE VIC 3000

By Email: orgs@fwc.gov.au

Contact
John Payne
Principal
Phone: (07) 3017 2400

Our Reference
JWP:4150225

Your Reference

Dear Sir/Madam

Re: Police Federation of Australia, Queensland Police Branch

We refer to the above and enclose:

1. Amended Prescribed Information for Election dated 29 May 2015 regarding Regional Representatives; and
2. Amended Prescribed Information for Election dated 29 May 2015 regarding Executive Officers, Vice President etc.

Yours faithfully



John Payne
Hall Payne Lawyers

cc: eve.anderson@fwc.gov.au

AMENDED PRESCRIBED INFORMATION FOR ELECTION

Section 189 of the *Fair Work (Registered Organisations) Act 2009* (Cth)
Section 138 of the *Fair Work (Registered Organisations) Regulations 2009* (Cth)

I am an officer of the Queensland Police Branch of the Police Federation of Australia and am authorised to sign this statement which is lodged in accordance with subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009* (Cth).

Each office or position for which an election is required

Queensland Police Branch – Vice President
Queensland Police Branch – Treasurer
Queensland Police Branch – Assistant Treasurer (2)

The reason for the elections

The terms of office have expired or are due to expire in the normal course of events.

Electorates

Vice President	Branch Executive
Treasurer	Branch Executive
Assistant Treasurer (2)	Branch Executive

Dates and time of nominations opening and closing

Vice President, Treasurer and Assistant Treasurer (2) –

Opening of nominations:	At the first meeting of the Branch Executive next following 1 July
Closing of nominations:	At the first meeting of the Branch Executive next following 1 July

Day provided for in the rules as the day on which the roll of voters is to be closed

30 days before the starting time for nominations

Vice President	Collegiate electoral system
Treasurer	Collegiate electoral system
Assistant Treasurer (2)	Collegiate electoral system



Ian Leavers
Branch President
Queensland Police Branch
Police Federation of Australia
29 May 2015

AMENDED PRESCRIBED INFORMATION FOR ELECTION

Section 189 of the *Fair Work (Registered Organisations) Act 2009* (Cth)
Section 138 of the *Fair Work (Registered Organisations) Regulations 2009* (Cth)

I am an officer of the Queensland Police Branch of the Police Federation of Australia and am authorised to sign this statement which is lodged in accordance with subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009* (Cth).

Each office or position for which an election is required

Queensland Police Branch – Northern Regional Representative
Queensland Police Branch – North Coast Regional Representative
Queensland Police Branch – South East Regional Representative
Queensland Police Branch – Metropolitan South Regional Representative

The reason for the elections

The terms of office have expired or are due to expire in the normal course of events.

Electorates

Northern Regional Representative	Members of the Northern Region
North Coast Regional Representative	Members of the North Coast Region
South East Regional Representative	Members of the South East Region
Metropolitan South Regional Representative	Members of the Metropolitan South Region

Dates and time of nominations opening and closing

Regional Representatives –

Opening of nominations:	3 June 2015 at 12noon
Closing of nominations:	1 July 2015 at 12noon

Day provided for in the rules as the day on which the roll of voters is to be closed

30 days before the starting time for nominations

Voting System

Northern Regional Representative	Direct voting system
North Coast Regional Representative	Direct voting system
South East Regional Representative	Direct voting system
Metropolitan South Regional Representative	Direct voting system



Ian Leavers
Branch President
Queensland Police Branch
Police Federation of Australia
29 May 2015



Freecall 1800 659 114
Facsimile (07) 3017 2499
www.hallpayne.com.au
general@hallpayne.com.au
Locked Bag 2013
South Brisbane Qld 4101
ABN 45 137 119 629

30 April 2015

The Delegate
Fair Work Commission
80 William Street
EAST SYDNEY NSW 2011

By Email: orgs@fwc.gov.au

Contact
John Payne
Principal
Phone: 07 3017 2400

Our Reference
JWP:4150225

Your Reference

Dear Delegate

Re: Police Federation of Australia, Queensland Police Branch

We act for the Queensland Police Branch of the Police Federation of Australia ("the Branch") and **enclose** by way of lodgement:

1. prescribed information for an election to be conducted for offices in the Branch; and
2. correspondence from Australian Electoral Commission advising of election timeline.

Elections are due to occur for the following offices:

- Northern Regional Representative;
- North Coast Regional Representative;
- South East Regional Representative; and
- Metropolitan South Regional Representative.
("the offices")

The term of office for the persons elected to the offices commences on 1 July 2014. To ensure compliance with the Part CF2 rules, the prescribed information provides for a closing date for nominations of 1 July 2015. A copy of the prescribed information is attached.

Following the execution of the prescribed information by the Branch President, the Branch received correspondence from the Australian Electoral Commission advising that the closing date of nominations for other Branch elections (E2015/124 and E2015/138) would be 29 June 2015.

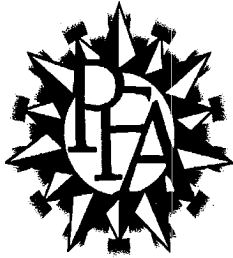
Our client notes the proximity of the closing dates for nominations between the two elections and will amend its prescribed information by opening nominations on 1 June 2015 and closing nominations on 29 June 2015 should the Delegate consider those dates preferable. If you require our client to do so, please advise.

If we can be of any assistance, please do not hesitate to contact the writer.

Yours faithfully



James Stedman
Hall Payne Lawyers



Police Federation of Australia

The National Voice of Policing

Queensland State Branch

PO Box 13008

Brisbane QLD

Phone: (07) 3259-1900

Fax: (07) 3259-1950

PRESCRIBED INFORMATION FOR ELECTION

Section 189 of the *Fair Work (Registered Organisations) Act 2009* (Cth)

Section 138 of the *Fair Work (Registered Organisations) Regulations 2009* (Cth)

I am the officer of the Queensland Police Branch of the Police Federation of Australia and am authorised to sign this statement which is lodged in accordance with subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009* (Cth).

Each office or position for which an election is required:

Queensland Police Branch	Northern Regional Representative
Queensland Police Branch	North Coast Regional Representative
Queensland Police Branch	South East Regional Representative
Queensland Police Branch	Metropolitan South Regional Representative
Queensland Police Branch	Vice President
Queensland Police Branch	Treasurer
Queensland Police Branch	Assistant Treasurer (2)

The reason for the elections:

The terms of office have expired or are due to expire in the normal cost of events.

Electorates:

Northern Regional Representative	Members of the Northern Region
North Coast Regional Representative	Members of the North Coast Region
South East Regional Representative	Members of the South East Region
Metropolitan South Regional Representative	Metropolitan South Region
Vice President	Branch Executive
Treasurer	Branch Executive
Assistant Treasurer (2)	Branch Executive

Dates and time of nominations opening and closing:

Regional Representatives:

Opening of Nominations	3 June 2015 at 12 noon
Closing of Nominations	1 July 2015 at 12 noon

Vice President, Treasurer and Assistant Treasurer (2)


Opening of Nominations	At the first meeting of the Branch Executive next following 1 July
Closing of Nominations	At the first meeting of the Branch Executive next Following 1 July

Day provided for in the rules as the day on which the role of voters is to be closed:

30 days before the starting time for nomination

Voting System:

Northern Regional Representative	Direct voting system
North Coast Regional Representative	Direct voting system
South East Regional Representative	Direct voting system
Metropolitan South Regional Representative	Direct voting system
Vice President	Collegiate electoral system
Treasurer	Collegiate electoral system
Assistant Treasurer (2)	Collegiate electoral system



Ian Leavers
Branch President
Queensland Police Branch
Police Federation of Australia

29/4/18
Date



Reference: AQ5AY

Mr Mick Barnes
Interim Branch Secretary
Police Federation of Australia
PO Box 13008
BRISBANE QLD 4003

Dear Mr Barnes

**Police Federation of Australia
PFA - Qld Branch Vacancy Election - E2015/124 & E2015/138**

The timetable for the above event is as follows:

Close of Roll	Thursday, 30 April 2015
Roll delivered to Returning Officer	Monday, 4 May 2015
Nominations Open	12:00 noon Monday, 1 June 2015
Nominations Close	12:00 noon Monday, 29 June 2015
Ballot Opens	12:00 noon Friday, 3 July 2015
Ballot Closes	12:00 noon Tuesday 21, July 2015

The ballot will be conducted by post.

I will send a copy of the notice calling for nominations and the nominations form to all members including yourself on Monday, 1 June 2015.

In addition, please also publish the notice on the Organisation's website from the date of the opening of nominations until the close of the ballot.

Request to supply Register of Members Information

The Roll of Voters for the above election will be those members who are eligible to vote on Thursday, 30 April 2015.

As Returning Officer conducting elections for your Organisation, I request you to supply the following listings of members of the Police Federation of Australia – Queensland Police Branch by Monday, 4 May 2015.

Shop 5001
Level 4, Robina Town
Centre
Robina Town Centre Dr
ROBINA QLD 4226

PO Box 5407
ROBINA TOWN CENTRE
QLD 4230

Contact: Kylie Edwards
Phone: (07) 5635 9900
Facsimile: (07) 5635 9921
E-mail: kylie.edwards@aec.gov.au

www.aec.gov.au
ABN 21 133 285 851

Listings

a) Name and member information (identified below), of every member who was financial as at Monday, 4 May 2015 and have been a member for 30 days before in accordance with the rules of the Organisation

The names of members who:

- b) were inadvertently included on listing (a)
- c) were inadvertently omitted from listing (a)
- d) The names of members appearing on listing (a) who have ceased to be members by Monday, 1 June 2015
- e) Any change of address details for members appearing on listing (a)

Dates specified for supply of listings

Listing (a) Monday, 4 May 2015.

Listing (b), (c), (d), (e) Monday, 1 June 2015

Electronic listings

Lists must be provided electronically on cd computer disk. If you are unable to provide a computer disk, on a data stick or similar usb media.

Files are to be in CSV (comma delimited) *csv format. If you are unable to supply information in csv format, please supply it as an Excel file. Lists should not be emailed as Commonwealth Guidelines provide that classified information, including personal information, should not be transmitted by email.

Member Information

A record for each eligible member is to include the following twelve fields:

- Membership number,
- Member surname,
- Member full first name/s,
- Address line 1 (BUILDING NAME AND UNIT/FLAT/TOWNHOUSE NUMBER),
- Address line 2 (STREET ADDRESS OR PO BOX),
- Address line 3 (CITY/TOWN),
- STATE (Aust Post Abbrev),
- Postcode,
- COUNTRY (OUTSIDE AUST ONLY)
- Electorate Code (see below)
- "Incorrect last known address" code (see below)
- "Workplace Address" Code (see below)

Electorate code

For each member listed, include a field identifying the relevant Electorate. The main listing is to be accompanied by an explanatory table for the codes if they are not self-evident.

Incorrect last known address

Please include in the listings a field for "Incorrect Last Known Address". If you have eligible members with a last known address thought to be incorrect, you should code those members as "Y" or "Yes" in this field.

Workplace addresses

Please include in the listings a field for "Workplace Address". If you have eligible members with only a workplace address, you should code those members as "Y" or "Yes" in this field.

Certification of Lists

Each listing must be accompanied by a certificate signed by you in the following terms:

"I certify that the accompanying listing on computer disk or similar media contains the (include appropriate details, i.e. (a), (b), (c), (d) or (e) above). I further declare that the register of members has been maintained as required by Section 230(2) of the Fair Work (Registered Organisations) Act 2009.

The total number of eligible members listed is (include figure)."

I further direct that the listings and certificates as described above be supplied to me NO LATER THAN 12 noon on the dates specified.

Confidentiality of Information

Regulation 131 of *the* Regulations requires that the Returning Officer must make a copy of the roll available for inspection and copying by members, and other persons authorised by the Returning Officer. However, sub-regulation 6 provides:

- (6) If a copy of a roll, or a copy of part of a roll, is made or supplied under this regulation, a person must not use information in the roll for a purpose other than:
- (a) a purpose in connection with the election; or
 - (b) to monitor the accuracy of the information contained in the roll.

Penalty: 10 penalty units.

If you have any queries or concerns regarding the above please do not hesitate to contact me.

Yours sincerely



Kylie Edwards
Returning Officer