



20 November 2015

Mr Mark Burgess
Chief Executive Officer
Police Federation of Australia

pfa@pfa.org.au

Dear Mr Burgess,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Commission a declaration of results for the election [E2015/242]. 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>
...							



20 November 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 [E2015/242]. This letter is a reminder of certain obligations imposed on organisations and persons elected to office.

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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.

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- 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.]

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ANNEXURE A

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		<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>
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...							



Fair Work (Registered Organisations) Act 2009 – s197

POST ELECTION REPORT

Police Federation of Australia

2015 - Qld Police Branch Collegiate Election E2015/242

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: *E2015/242*

RULES

Rules used for the election: 200V: Incorporates alterations of 19/08/2015 [R2015/180])

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, 21 October 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 dated 29 October 2015.



Anthea Featherstone
Returning Officer

29 October 2015

**- Police Federation of Australia
QPS - Collegiate Election E2015/242**

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

Branch Federal Councillor

Candidates

COLLINS, Anthony Paul

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



Anthea Featherstone
Returning Officer

29 October 2015



DECISION

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

Police Federation of Australia
(E2015/242)

MR ENRIGHT

MELBOURNE, 5 OCTOBER 2015

Arrangement for conduct of election.

[1] On 7 September 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 office:

Branch Federal Councillor

[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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South Brisbane Qld 4101
ABN 45 137 119 629

7 September 2015

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

Contact
James Stedman
Solicitor
Phone: 07 3017 2400

Our Reference
JWP:4150225

Your Reference

By Email: orgs@fwc.gov.au

Dear Delegate

Re: Police Federation of Australia, Queensland Police Branch

We enclose by way of lodgement:

1. prescribed information for an election in the office of Branch Federal Councillor (1).

We act for the Queensland Police Branch of the Police Federation of Australia ("the Branch").

Rule 14 of the PFA rules provides:

14 - FEDERAL COUNCIL

- The Federal Council shall consist of delegates elected by the respective Branches from the financial members in each Branch in accordance with the Rules of the Branches in Parts, C, CA, CB, CC, CD, CE, CF, CG and D thereof.*
- The number of delegates in each Branch shall be determined on the basis of one delegate for the first one thousand (1,000) financial members or part thereof, and one additional delegate for each succeeding two thousand five hundred (2,500) financial members or part thereof.*
- The Delegates to Federal Council shall be elected and hold office in accordance with their respective Branch Rules.*
- For the purposes of this Rule, the financial membership of the Federation and within each Branch shall be that membership as at 31 December in the immediately preceding year. Where between elections the membership of a Branch is increased such that the Branch would be entitled to an additional delegate, then such additional position shall be created and filled as if it were a casual vacancy in accordance with the rules of the Branch concerned and the delegate shall hold office until the next regular election for such delegates of the Branch.*
- Voting entitlements at meetings of Federal Council shall be in accordance with Rule 14, Clause (b) and attendance at meetings of Federal Council in accordance with Rule 14, Clause (c).*

- (f) *The Chief Executive Officer of the Federation shall be entitled to attend and speak at meetings and participate in his/her capacity as Chief Executive Officer at meetings of Federal Executive and Federal Council but shall not be entitled to move any motion, resolution, or vote.*

(emphasis added)

We are instructed that the Branch recently enrolled 11,581 financial members and is consequently entitled to six (6) delegates to Federal Council.

Rule 41 of the Branch rules provides for dual offices as follows:

41 - BRANCH FEDERAL COUNCILLORS

- (a) *Federal Councillors for the Branch will be elected in the following order upon the Member being elected to their respective office of the Branch, the:*
- (i) *Branch President;*
 - (ii) *Branch Vice President;*
 - (iii) *Branch Treasurer; and*
 - (iv) *Branch Assistant Treasurer, provided that:*
 - (v) *the persons listed in parts i) to iv) will be elected in that order in the event that there are insufficient offices to be filled as Federal Councillors;*
 - (vi) *despite part v) if there is only a single office to be filled by the Branch Assistant Treasurers, then the Manager of the election for the offices of Branch Assistant Treasurer held in accordance with **rule 72** will determine by lot, as between the Branch Assistant Treasurers, as to which of the Branch Assistant Treasurers will be elected to that office.*
 - (vii) *in the event that there are more positions to be filled as Federal Councillors than the number of officers of the Branch provided for in parts i) to iv), then the further Federal Councillors required to be elected will be elected in accordance with sub-rule (b).*
- (b) *Branch Federal Councillors, other than the Federal Councillors referred to in sub-rule (a), will be elected by, and from, the members of the Branch Executive in accordance with **rule 72**.*

The Branch President holds the (dual) office of Branch Federal Councillor.

We anticipate that the:

- Branch Vice President;
- Branch Treasurer; and
- Branch Assistant Treasurer (2),

will be elected¹ at the next meeting of the Branch Executive and will then hold the (dual) office of Branch Federal Councillor on election.

¹ Prescribed information has been filed in relation to this election.

Following the election of the officers set out above a consequent election will be required to be held for one (1) Branch Federal Councillor, to be elected by and from the balance of the Branch Executive in accordance with the Branch rules.

The Branch Executive is required by the Branch rules to meet each month and our client respectfully requests that a decision be made promptly so as to ensure the election of the remaining Branch Federal Councillor can occur at the same time (that is the same meeting) as the elections for the Vice President, Treasurer, Assistant Treasurer (2). It is hoped by the Branch that this can occur at a meeting of the Branch Executive meeting held in September, albeit it is understood that this involves not only the issuing of the decision but also accommodating the Australian Electoral Commission.

If further information is required in the first instance please contact the writer.

Yours faithfully

A handwritten signature in black ink, appearing to be 'J Stedman', is written over a horizontal line.

James Stedman
Hall Payne Lawyers



Police Federation of Australia

The National Voice of Policing

7th September 2015

Queensland State Branch

PO Box 13008

BRISBANE Qld 4003

P: (07) 3259-1900

F: (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 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 – Branch Federal Councillor (1)

The reason for the elections

A new office has been created.

Electorate

Branch Executive.

Dates and time of nominations opening and closing

Nominations will open and close at the first meeting of the Branch Executive next following the declaration of elections for the offices of Branch Regional Representatives in any year of election of Branch Regional Representatives under rule 40.

The offices of Branch Regional Representatives were declared elected on 18 August 2015.

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

Each attending Branch Executive Member is entitled to cast a vote in relation to each office the subject of election.

Voting system

Collegiate electoral system.

Ian Leavers
Branch President
Queensland Police Branch
Police Federation of Australia