



Fair Work (Registered Organisations) Act 2009

RETURNING OFFICER - POST ELECTION REPORT

Client: Police Federation of Australia, Tasmania Police

Contact details: Mark Kadziolka
Chief Executive Officer
Police Federation of Australia
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Tel: 03 6278 1900

FWA contact officer: Larry Powell

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ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2013/276

Election: Tasmania Police Branch
Sub Branch Elections 2013

Returning Officer: Michael Horwood

RULES

Rules used for elections Rule ID: 200V: Incorporates alterations of 31/1/13 [R2013/1]
(replaces 23/11/2012 R2012/155 version)

Rules difficult to apply/interpret: 52BU(4)(l)(ii)(B) Districts and Sub Branches

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.

52BU(4)(l)(i)(A)

... the Returning Officer shall issue, by posting by pre-paid post, to each person whose name is on the roll and at the address shown on the roll,

Comment – for sub branch elections it is unclear if the electorate is the branch or sub branch.

Model Rule reference (if any):

Legal precedents considered:

**Action taken under section 193 of
RAO Schedule:**

ROLL OF VOTERS

Total number of voters on the roll	1157	
Number of apparent workplace addresses	1152	100%
Number of non-current addresses	0	

OTHER MATTERS PERTAINING TO ROLL OF VOTERS

The postal address details recorded by the PFA are generally the workplace address as the category of membership is relative to the workplace address.

ALLEGATIONS OF IRREGULARITIES RECEIVED

There were no written complaints or allegations of irregularities.

ATTACHMENTS

A Declaration of Results for Contested and Uncontested Offices



Michael Horwood
Returning Officer

18 February 2014

COPY

**Police Federation of Australia
Sub Branch Elections 2013**

Declaration of Results for Contested and Uncontested Offices

E2013/276

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.

**Southern Sub Branch
Chairperson**

Candidates

No nomination was received

No candidates elected.

Secretary

Candidates

RAINBIRD, Benjamin John

I declare Benjamin John Rainbird elected.

Delegate to Branch Conference (3)

Candidates

PATERSON, Theresa Joan

I declare Theresa Joan Paterson elected.
No other nominations received.

**Northern Sub Branch
Chairperson**

Candidates

GROVES, Melanie

I declare Melanie Groves elected.

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Secretary

Candidates

RADFORD, Samantha Lea

I declare Samantha Lea Radford elected.

Delegate to Branch Conference (3)

Candidates

DOBNER, Angus John
DUNSTONE, Mathew
LOGAN, Dean Ross

I declare Angus John Dobner, Mathew Dunstone and Dean Ross Logan elected.

Western Sub Branch

Total number of names on the roll of voters	218
Ballot papers issued	218
Replacement ballot papers issued	0
Total Ballot Papers Issued	218
Ballot papers / envelopes returned for scrutiny	123
Less ballot papers / envelopes rejected at preliminary scrutiny	2
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	121
Percentage of ballot papers returned to number issued	56
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	95

Delegate to Branch Conference (3)

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
BARNARD, Haydn Peter	13	0
RYBARCZYK, Jason Thomas	25	27
BARTUSH, Evan John	43	43
LLOYD, Adam Eric	38	49
Exhausted Votes		0
Loss/Gain by Fraction		0
Total votes	119	119
Formal ballot papers	119	119
Informal ballot papers	2	2

I declare Evan John Bartush, Adam Eric Lloyd and Jason Thomas Rybarczyk elected.

Chairperson

Candidates

RUSSELL, Danny Hilton

I declare Danny Hilton Russell elected.

Secretary

Candidates

GRAY, Sarah Anne

I declare Sarah Anne Gray elected.

**Eastern Sub Branch
Chairperson**

Candidates

TILLEY, Shane David

I declare Shane David Tilley elected.

Secretary

Candidates

HOWARD, Shane

I declare Shane Howard elected.

Delegate to Branch Conference (3)

Candidates

CASWELL, Justin Paul
KING, Robert James
O' DWYER, Andrew John

I declare Justin Paul Caswell, Robert James King and Andrew John O' Dwyer elected.

**Commissioned Officers' Sub Branch
Chairperson**

Candidates

WISS, David Anthony

I declare David Anthony Wiss elected.

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Secretary

Candidates

ARNOLD, John Robin

I declare John Robin Arnold elected.

Delegate to Branch Conference (3)

Candidates

BALL, Glen Gordon
BEECH-JONES, John Mark
JOHNSTON, Michael Andrew

I declare Glen Gordon Ball, John Mark Beech-Jones and Michael Andrew Johnston elected.



Dale Emery, for:
Michael Horwood
Returning Officer
Australian Electoral Commission

19 December 2013



DECISION

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

Police Federation of Australia (E2013/276)

MR ENRIGHT

MELBOURNE, 11 OCTOBER 2013

Arrangement for conduct of election.

[1] On 25 September 2013 the Police Federation of Australia - Tasmania Police Branch lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Chairperson, Secretary and Branch Conference Delegates (3) for each of the following Sub-Branches:

Eastern
Southern
Western
Northern
Officers

[2] The prescribed information was not lodged before the day prescribed by Regulation 138(3) of the *Fair Work (Registered Organisations) Regulations 2009*. That day is the day occurring 2 months before the first day when a person may, under the rules of the organisation or branch, become a candidate in the election. The branch has requested that I allow a later day for the lodgement of the prescribed information under subsection 189(2) of the *Fair Work (Registered Organisations) Act 2009* (the Act). Having considered the reason for late lodgement, I allow lodgement on 25 September 2013 in this instance.

[3] 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

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From: [Police Assoc. of Tasmania](#)
To: [POWELL, Larry](#)
Subject: Extension for election
Date: Thursday, 10 October 2013 2:36:16 PM

Good Afternoon Mr Powell

I write seeking permission to have an extension on our recent request for an election due to an oversight in our administration.

I sincerely apologise for the inconvenience.

Please do not hesitate to contact the PAT office if you require any further details.

Regards

Pat Allen

President

Police Association of Tasmania

107 New Town Road, New Town, Tas. 7008



[Safety in Numbers](#)

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Police Federation of Australia

The National Voice of Policing

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Wednesday 25 September 2013

Ms Bernadette O'Neill
General Manager
Fair Work Australia
GPO Box 1994
Melbourne VIC 3001

Dear Ms O'Neill,

I am an officer of the Tasmanian Branch of the Police Federation of Australia and am authorised to sign this statement, which is prescribed information for an election lodged in accordance with subsection 189 (1) of the Fair Work (Registered Organisations) Act 2009. I request that you arrange elections with regard to the following information provided.

1. Elections are required for the positions of Chairperson, Secretary and Delegates to Branch Conference (3 positions) for each of the following Sub-branches:
 - Eastern Sub-branch
 - Southern Sub-branch
 - Western Sub-branch
 - Northern Sub-branch
 - Officers Sub-branch
2. The reason for the elections is that the current terms of office for these positions will expire at the end of this year.
3. The electorates for the elections are:

- For Chairperson, Secretary and Delegates to Branch Conference (3 positions) for the Eastern Sub-branch – the members of the Eastern Sub-branch.
 - For Chairperson, Secretary and Delegates to Branch Conference (3 positions) for the Southern Sub-branch – the members of the Southern Sub-branch.
 - For Chairperson, Secretary and Delegates to Branch Conference (3 positions) for the Western Sub-branch – the members of the Western Sub-branch.
 - For Chairperson, Secretary and Delegates to Branch Conference (3 positions) for the Northern Sub-branch – the members of the Northern Sub-branch.
 - For Chairperson, Secretary and Delegates to Branch Conference (3 positions) for the Officers Sub-branch – the members of the Officers Sub-branch.
4. The date requested for nominations to open is 7 October 2013.
 5. The date requested for nominations to close is 28 October 2013.
 6. The date requested for the roll of voters to close is 4 October 2013.
 7. The voting system that we request be employed is the direct voting system for each separate sub-branch election, to be conducted within the respective sub-branches.
 8. Please note that the Tasmania Police Branch has inadvertently let the timeframe specified in the Rules for nominations to pass. This will not in any way affect the election and there is still ample time for the elections to be held before expiry of the current terms, namely, 31 December 2013. I apologise for this oversight.

I thank you for your attention to this matter.

Yours sincerely,



Pat Allen
President