



19 January 2016

Mr Pat Allen  
President  
Police Federation of Australia-Tasmania Police Branch  
mark.kadziolka@pat.asn.au

Dear Mr Allen,

**Reminder of actions required when persons elected to office**

The Australian Electoral Commission has provided the Commission a declaration of results for the election [E2015/276]. 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-Tasmania 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

Christine Hibberd  
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].<sup>1</sup>
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:<sup>2</sup>
  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]:<sup>3</sup>
  - 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](mailto:orgs@fwc.gov.au).]**

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<sup>1</sup> s.230(1)(d); reg.147(d)

<sup>2</sup> s.230(1)(d); reg.147(a) & (d)

<sup>3</sup> 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>
...							

**From:** Wendy Harris <Wendy.Harris@aec.gov.au>  
**Sent:** Wednesday, 6 January 2016 4:21 PM  
**To:** mark.kadziolka@pat.asn.au  
**Cc:** Industrial Elections; Orgs  
**Subject:** E2015/263 and E2015/276 Post Election Reports [DLM=For-Official-Use-Only]  
**Attachments:** Declaration PFA E2015 276 Uncontested.pdf; Declaration E2015 263 Uncontested.pdf; E2015-263 & E2015-276 PFA Post Election Report.pdf

**Importance:** High

## For-Official-Use-Only

### POST ELECTION REPORT AND DECLARATION E2015/263 AND E2015/276

Mr Kadziolka,

I refer to the above election for your organisation.

Section 197(1) of the *Fair Work (Registered Organisations) Act 2009* ("the Act") requires the AEC to provide a written report on the conduct of the election to the Fair Work Commission 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 Act 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 website 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.

Kind regards

**Mrs. Wendy Harris | Returning Officer E2015/263 & E2015/276**

Tasmania State Office | TAS State Office

Australian Electoral Commission

T: (03) 6235 0516 | M: 0457 547 746 | F: (03) 6235 0568

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## For-Official-Use-Only

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# Police Federation of Australia

## Southern Sub-Branch Chair Person

### Declaration of Results for Uncontested Offices

E2015/276

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

WHITE, Martin

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



(Michael Horwood) for  
Wendy Harris  
Returning Officer

24 December 2015

Fair Work (Registered Organisations) Act 2009

## POST ELECTION REPORT

### Police Federation of Australia – Tasmania Branch

#### **ELECTIONS COVERED IN THIS REPORT**

Election Decision Number: E2015/263 and E2015/276

***Election:*** Tasmania Police Branch  
1. E2015/263 Various Delegates to Branch Conference  
Southern Sub-branch: Branch Conference Delegates (2)  
Northern Sub-branch: Chair Person & Branch Conference Delegates (3)  
Eastern Sub-branch: Branch Conference Delegates (3)  
2. E2015/276 Southern Sub Branch Chair Person

***Returning Officer:*** Wendy Harris

#### **RULES**

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

Rules difficult to apply/interpret: None

Model Rule reference: N/A

#### **ROLL OF VOTERS**

As there were no contested offices, no Roll of Voters was required.

#### **IRREGULARITIES**

No irregularities were identified.

#### **ATTACHMENTS**

- 1) E2015/263 - Declaration of Results for Uncontested Offices
- 2) E2015/276 – Declaration of Results for Uncontested Office



Wendy Harris  
Returning Officer

6 January 2016



## DECISION

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

**Police Federation of Australia**  
(E2015/276)

MR ENRIGHT

MELBOURNE, 26 NOVEMBER 2015

*Arrangement for conduct of election.*

[1] On 19 November 2015 the Tasmania Police Branch of the Police Federation of Australia lodged with the Fair Work Commission the prescribed information in relation to an election to fill a casual vacancy in the following office:

Southern Sub-branch Chairperson

[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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# Police Federation of Australia

The National Voice of Policing

Monday 19 November 2015

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 for an election lodged in accordance with subsection 189 (1) of the Fair Work (Registered Organisations) Act 2009. I request that you arrange an election with regard to the following information provided.

1. An election is required for the position of Southern Sub-branch Chairperson.
2. The reason for the election is that the current incumbent (Gavin White) who was also recently elected to the position for the next term commencing 1 January 2016 (E2015/202), has resigned due to his transfer from the Sub-branch effective on 23 November 2015 (copy of resignation attached).
3. The electorate for the election is the Southern Sub-branch.
4. The date requested for nominations to open is 15 December 2015.
5. The date requested for nominations to close is 4 January 2016.
6. The date the roll of voters will close is 11 December 2015.
7. The voting system that we request be employed is the direct voting system.

I thank you for your attention to this matter.

Yours sincerely,

**Pat Allen**  
President