

Ms Sylvia Loveless
Administration Manager
Police Federation of Australia
1 Clarendon Street
EAST MELBOURNE VIC 3002

**Post Election Report For: Police Federation of Australia
Victoria Police Branch
Election E2012/347**

I refer to the above election for your organisation.

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

Michael Pryor
Returning Officer

2 October 2012

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Police Federation of Australian

Victoria Police Branch

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2012/347

RULES

Rules used for the election: 200V: Incorporates alterations of 1/04/2011 [R2011/7] (replaces 22/07/2009 R2009/10011 version)

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: 12

Number of apparent workplace addresses: Nil

Number of non-current addresses: Nil

Other matters pertaining to the roll of voters: Nil

IRREGULARITIES

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

Other irregularities identified, and action taken: Nil

ATTACHMENTS

Declaration of Results

Michael Pryor
Returning Officer

2 October 2012

POLICE FEDERATION OF AUSTRALIA

VICTORIA POLICE BRANCH

DECLARATION OF RESULTS

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2012/347

Total number of persons on the roll of voters	12
Ballot papers issued	11
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	11
Ballot papers returned for scrutiny	11
Less ballot papers rejected at preliminary scrutiny	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	11
Percentage of ballot papers returned to number issued	100%

Branch President

<u>Candidates</u>	<u>Votes</u>
LAIRD, John	3
PEARSON, Phillip James	8
Formal ballot papers	11
Informal ballot papers	0

I declare Phillip James Pearson elected.

Branch Senior Vice President

Candidate
THOMAS, Dean James

I declare Dean James Thomas elected.

Branch Junior Vice President

Candidate
O'CONNELL, Paul

I declare Paul O'Connell elected.

Branch Treasurer

<u>Candidates</u>	<u>Votes</u>
DAVID, Karl	4
WILSON, Diane	7
Formal ballot papers	11
Informal ballot papers	0

I declare Diane Wilson elected.

Branch Assistant Treasurer

Candidate

BIRCH, Colin William

I declare Colin William Birch elected.

Branch Delegate to Federal Council

Candidate

BANKS, Maurice Martin Anthony

I declare Maurice Martin Anthony Banks elected.

Michael Pryor
Returning Officer

2 October 2012



FAIR WORK
AUSTRALIA

DECISION

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

Police Federation of Australia
(E2012/347)

AILS A CARRUTHERS

MELBOURNE, 4 SEPTEMBER 2012

Arrangement for conduct of election.

[1] On 14 August 2012 the Police Federation of Australia-Victoria Police Branch lodged with Fair Work Australia the prescribed information in relation to an election for the following offices:

Branch President
Branch Senior Vice President
Branch Junior Vice President
Branch Treasurer
Branch Assistant Treasurer
Branch Delegate to Federal Council

[2] The Branch was informed that 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 then asked me to allow a later day for lodgment of the prescribed information under subsection 189(2) of the *Fair Work (Registered Organisations) Act 2009* (the Act). Having considered the reasons for late lodgment, I allow lodgment on 14 August 2012 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
FAIR WORK AUSTRALIA



The Police Association

UPHOLDING OUR RIGHTS SINCE 1917

Our ref: 20051s.259

13 August 2012

Ms Eve Anderson
Tribunal Services & Organisations
Fair Work Australia
GPO Box 1994
MELBOURNE 3000



Dear Ms Anderson

Re: Notice and Statement of Prescribed Information for an Election

The Australian Electoral Commission recently conducted an election to fill four Police Federation of Australia (Victoria Police Branch) Executive Member vacancies due to the terms of appointment expiring on 14 September 2012, the date of the annual general meeting of the Branch. This election occurs annually as the term of four of our 12 Executive Members expires each year.

The result of this election was declared on 2 August 2012.

In accordance with rule 52CH(1) of the Police Federation of Australia Victoria Police Branch Rules, an election of all Branch Officers is to be conducted at the first meeting of the Branch Executive after the annual general meeting in the year in which elections are required to be conducted.

It has been two years since an election was conducted for all Branch Officer positions. We therefore seek your assistance with the arrangements for the conduct of an election and, pursuant to section 189 of the *Fair Work (Registered Organisations) Act 2009*, we provide the prescribed information in relation to the election to be conducted by the Australian Electoral Commission.

The earliest date to conduct an election is at the Branch's Executive meeting to be held on Tuesday 2 October 2012.

Should you wish to clarify any aspect of this request, please contact me directly on 9468 2600.

Yours sincerely

SYLVIA LOVELESS
Administration Manager

Encl.


Notice and Statement of Prescribed Information for an Election

I, Phillip J Pearson, being the President of the Victoria Police Branch of the Police Federation of Australia, make the following statement:

I am the President of the Victoria Police Branch of the Police Federation of Australia,

I am authorised to lodge the following prescribed information concerning forthcoming elections in the Branch Executive of the Victoria Police Branch of the Police Federation of Australia; and

I confirm that the following information is being lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009

Signed: 

Dated: 13/8/2012

Offices/Positions

Branch President
Branch Senior Vice President
Branch Junior Vice President
Branch Treasurer
Branch Assistant Treasurer
Branch Delegate to Federal Council

Reasons for election:

The election of all Branch Officer positions, including Delegate to Federal Council, is that the terms of office for each position is due to expire.

Elected by:

Rule 52CA(2) provides that Branch Officers shall be elected by and from members of the Branch Executive (12 members).

Nominations open:

For offices to be elected by direct voting system – to be determined by the Returning Officer of the Australian Electoral Commission.

The voting system to be used in the conduct of the election/s is collegiate.

Nominations close:

Close – 5:00pm Monday 1 October 2012.

Cut off date for roll:

Electoral roll comprises 12 members of the Branch Executive in attendance on day election to be conducted, i.e. Tuesday 2 October 2012.

Notes:

The above sample Notice and Statement would satisfy each of the particulars required under s189(1) and the relevant regulations.

The Notice and Statement are required to be lodged at least 2 months before the first day of nominations as set out in the rules of the organisation – the General Manager of FWA may allow for a later day - see subsection 189(2) and regulations.

The requirement to lodge election information under s189(2) is a civil penalty provision – see s305.