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**Reference:** VIC 15/295

**Contact:** Ben Murray  
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Sylvia Loveless  
Police Federation of Australia  
Administration Manager  
PO Box 76  
CARLTON SOUTH VIC 3053

Post Election Report For:     **Police Federation of Australia (Victoria)**  
                                          **Casual Vacancy for remainder of term:**  
                                          **Branch Executive Committee Member (1)**  
                                          **Branch Delegate to Federal Council (1)**  
                                          **E2015/225**

I refer to the above election for your organisation.

Section 197(1) of the Fair Work (Registered Organisations) Act 2009 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 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.



Ben Murray  
Returning Officer  
3 February 2016

Fair Work (Registered Organisations) Act 2009

**POST ELECTION REPORT**

**Police Federation of Australia – Branch Executive Members (Victoria)**

**ELECTION/S COVERED IN THIS REPORT**

Election Decision No: E2015/225

**RULES**

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

Rules difficult to apply/interpret: Rule 52CF requires that the Returning Officer shall give notice about the election by a notice published in the Police Association Journal and a **daily newspaper circulating throughout Victoria**. This rule could be modified considering that the costs associated with advertising in a newspaper are relatively high and their reach may be not as effective as other means. This rule would also be difficult to apply if in the future daily newspapers cease to be circulated throughout Victoria.

Model Rule reference (if any): N/A

**ROLL OF VOTERS**

Total number of voters on the Roll: 14,416

Number of apparent workplace addresses: Various, however appropriate given the nature of work undertaken.

Number of non-current addresses:

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

Benjamin Murray  
Returning Officer  
3 February 2016

**Police Federation of Australia**  
**Stage 1 - Branch Executive Committee Member - Casual Vacancy -**  
**E2015/225**

**Declaration of Results for Contested Offices**

**E2015/225**

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.

**Victoria Police Branch**

Total number of names on the roll of voters	14,444
Ballot papers issued	14,444
Replacement ballot papers issued	0
<b>Total Ballot Papers Issued</b>	<b>14,444</b>
Ballot papers / envelopes returned for scrutiny	3,962
Less ballot papers / envelopes rejected at preliminary scrutiny	136
Adjusting balance	18
<b>Total Ballot Papers Admitted to Scrutiny</b>	<b>3,808</b>
Percentage of ballot papers returned to number issued	26
Ballot papers returned as unclaimed mail	87
Ballot papers not returned	10,395

**Branch Executive Member**

<u>Candidates</u>	<u>First preferences</u>	<u>Final Votes</u>
KEIGHLEY, Grant	1069	1708
EYRIES, Andrew	789	0
BLOMELEY, Ivan John	356	0
ASHWORTH, Ken	962	2067
MARR, Ian	617	0
Exhausted		18
Total votes		3808
Formal ballot papers		3793
Informal ballot papers		15

I declare Ken Ashworth elected.

The preferential voting system described in the Police Federation of Australia Victorian Police Branch rule 52(CG) requires an absolute majority of 1888 votes.



Ben Murray  
Returning Officer  
Australian Electoral Commission  
18 December 2015

Police Federation of Australia  
Victoria Police Branch  
Branch Delegate to Federal Council  
Casual Vacancy E2015/225

## Declaration of Results for Uncontested Offices

**E2015/225**

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.

### **Branch Delegate to Federal Council**

#### Candidates

***BREWER, Rodney***

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



Benjamin Murray  
Returning Officer

2/2/2016



## DECISION

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

**Police Federation of Australia**  
(E2015/225)

MR ENRIGHT

MELBOURNE, 21 SEPTEMBER 2015

*Arrangement for conduct of election.*

[1] On 24 August 2015 the Victoria Police Branch of the Police Federation of Australia lodged with the Fair Work Commission the prescribed information in relation to an election for a casual vacancy for the remainder of the term of office in the following offices:

Branch Executive Committee Member (1)  
Branch Delegate to Federal Council

[2] 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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# The Police Association

UPHOLDING OUR RIGHTS SINCE 1917

Our ref: 20051s.291

17 August 2015

Ms Bernadette O'Neill  
General Manager  
Fair Work Australia

Email: [owa@fwa.gov.au](mailto:owa@fwa.gov.au)

Dear Ms O'Neill

**Re: Police Federation of Australia (Victoria Police Branch) - Casual Vacancies due to Resignation**

We have received a letter from Mr Wayne Gatt notifying of his resignation from the position of Branch Executive Member of The Police Federation of Australia (Victoria Police Branch), effective 6 May 2015 (copy attached).

Mr Gatt's term of appointment as Branch Executive Member is not due to expire until September 2017 having been elected in September 2014, therefore creating a casual vacancy for the position of Branch Executive Member.

Pursuant with Rule 52CF(13)(b) of the Police Federation of Australia Victoria Police Branch Rules, Mr Ken Ashworth was appointed to fill the casual vacancy until an election can be conducted to fill the position (refer attached motion carried at the Branch meeting held on 4 August 2015).

Mr Gatt's resignation also created a vacancy in the position of Delegate to Federal Council. In accordance with Rule 52CH(17)(b), an election to fill the casual vacancy of Delegate to Federal Council is also required.

We seek your authorisation to instruct the Australian Electoral Commission to commence the process of conducting an election to fill the casual vacancy of Branch Executive Member in compliance with Rule 52CF(13) and to fill the position of Delegate to Federal Council in accordance with Rule 52CH(17)(b).

Please find attached a statement in the prescribed form as required, pursuant to the provisions contained in Regulation 138 - Prescribed Information for Election (s 189(1)) of *the Fair Work (Registered Organisations) Regulations 2009*.

Subject to your instructions, we intend to advertise the election for the casual vacancy of the Branch Executive Member in our "InBrief" newsletter which is distributed to our membership via email and posted on our website, [www.tpav.org.au](http://www.tpav.org.au).

Should you have any queries please do not hesitate to Ms Sylvia Loveless, Administration Manager on 9468 2600.

Yours sincerely

JOHN LAIRD  
**President**



## Notice and Statement of Prescribed Information for an Election

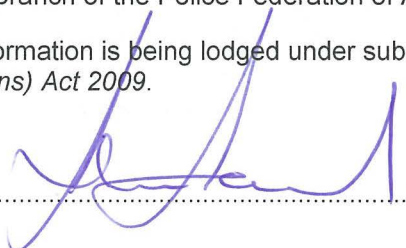
I, John Campbell Laird, being the President of the Victoria Police Branch of the Police Federation of Australia, make the following statement:

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 election for the casual vacancy of Branch Executive Committee Member and Delegate to Federal Council 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: .....

21/8/15

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### **Offices/Positions**

- (1) Branch Executive Committee Member (1 position)
- (2) Branch Delegate to Federal Council

### **Reasons for election:**

- (1) Election for Branch Executive Committee Member is required due to the resignation of Wayne Gatt whose term of appointment was due to expire in September 2017.
- (2) Election for Branch Delegate to Federal Council required due to the resignation of Wayne Gatt whose term was due to expire in October 2016.

### **Elected by:**

- (1) The electorate for voting is the membership of the Branch.
- (2) The electorate for voting is by and from members of the Branch Executive (12 members) - Rule 52CA(2).

### **Nominations open:**

- (1) To be determined by the Returning Officer of the Australian Electoral Commission.
- (2) To be determined by the Returning Officer of the Australian Electoral Commission.

### **Nominations close:**

- (1) To be determined by the Returning Officer of the Australian Electoral Commission.
- (2) Nominations to close at 5:00pm on the Monday prior to the Branch Executive Member meeting, i.e. 1 September 2015 or next available.

**Cut off date for roll:**

- (1) Seven days prior to the opening date for nominations - rule 52CF(5).
- (2) Electoral roll comprises 12 members of the Branch Executive in attendance on day election to be conducted, i.e. Tuesday 1 September 2015.

**Electoral System**

- (1) Direct voting system.
  - (2) Collegiate voting system.
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20051.116

# **MEMORANDUM**

**TO:** ADMINISTRATION MANAGER  
**FROM:** ASSISTANT SECRETARY  
**SUBJECT:** APPOINTMENT TO CASUAL VACANCY ON THE VICTORIA POLICE BRANCH EXECUTIVE OF THE POLICE FEDERATION OF AUSTRALIA  
**DATE:** 6 AUGUST 2015

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At the Executive meeting held on 4 August 2015, the following motions were carried:

1. "THAT KEN ASHWORTH BE APPOINTED TO FILL THE CASUAL VACANCY IN THE BRANCH EXECUTIVE CREATED BY THE RESIGNATION OF BRANCH EXECUTIVE MEMBER, WAYNE GATT, PURSUANT TO RULE 52 CF (13) (B)."
2. "THAT THE MEMORANDUM FROM THE CHIEF EXECUTIVE OFFICER DATED 14 JULY, 2015, WITH REGARD TO FILLING THE CASUAL VACANCY OCCURRING IN THE OFFICE OF A DELEGATE TO FEDERAL COUNCIL, BE RECEIVED."
3. "THAT THE VICTORIA POLICE BRANCH EXECUTIVE OF THE POLICE FEDERATION OF AUSTRALIA CONDUCT AN ELECTION AT THE AUGUST 2015 MEETING OF THE BRANCH EXECUTIVE TO FILL THE CASUAL VACANCY OCCURRING IN THE OFFICE OF DELEGATE TO FEDERAL COUNCIL CAUSED BY THE RESIGNATION OF BRANCH EXECUTIVE MEMBER, WAYNE GATT, AND, FURTHER, THAT THE BRANCH CHIEF EXECUTIVE OFFICER BE NOMINATED AS THE RETURNING OFFICER FOR THE PURPOSE OF CONDUCTING THIS ELECTION."
4. "THAT ROD BREWER BE ELECTED TO THE CASUAL VACANCY OCCURRING IN THE OFFICE OF DELEGATE TO FEDERAL COUNCIL CAUSED BY THE RESIGNATION OF BRANCH EXECUTIVE MEMBER WAYNE GATT."

Forwarded for information and action.

  
BRUCE McKENZIE  
Assistant Secretary