



DECISION

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

Police Federation of Australia (E2016/108)

MR ENRIGHT

MELBOURNE, 1 APRIL 2016

Arrangement for conduct of election.

[1] On 17 March 2016 the Police Federation of Australia Victoria Police Branch lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Branch Executive Members (4)

Branch President
Branch Senior Vice President
Branch Junior Vice President
Branch Treasurer
Branch Assistant Treasurer
Branch Delegates to Federal Council (2)

[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.300

17 March 2016

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

Dear Ms O'Neill

(1) Branch Executive Committee Elections 2016

The Victoria Police Branch of the Police Federation of Australia formally advises that an election for four positions of the Executive Committee of the Victorian Branch of the Police Federation of Australia are due to be held in 2016. The positions subject to this election are currently occupied by the following Executive members:

- Karl David
- Dermot Avon
- Max Jackson
- Dean Anderson *

* Dean Anderson ceased to be a member of Victoria Police from 15 March 2016 and therefore no longer eligible to be a Branch Executive Member.

In accordance with rule 52CF(1) of Part CC of the Police Federation of Australia Victoria Police Branch Rules ("the Rules"), a notice is to be published in The Police Association Journal and a daily newspaper calling for nominations for the position of Branch Executive members by no later than 31 May.

We therefore seek your authorisation to instruct the Australian Electoral Commission ("AEC") to commence the process of conducting an election by way of direct voting system.

It is our intention to advertise the election by way of Notice in the April 2016 edition of *The Police Association Journal*. We also intend providing our membership preliminary advice of the election by newsletter, The Police Association's *InBrief*, which is distributed to our membership via e-mail and posted on our website www.tpav.org.au.

In accordance with section 189(1) of the *Fair Work (Registered Organisations) Act 2009* ("the Act"), we attach a Notice and Statement of Prescribed Information for an election.

The successful candidates in the above mentioned election will commence their position as Branch Executive Member from 9 September 2016, the date of the annual general meeting of the Branch.

(2) Branch Office Holder Elections 2016

In accordance with Rule 52CH(1) of the 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 will be two years since an election was conducted for all Branch Officer and Delegate to Federal Council positions. We therefore seek your assistance with the arrangements for the conduct of an election and, pursuant to section 189 of the Act, we provide the prescribed information in relation to the election to be conducted by the AEC.

The earliest date to conduct an election for Branch Officer positions is at the Branch's Executive meeting to be held on Tuesday 4 October 2016.

Should you have any queries please do not hesitate to contact me, or in my absence, Ms Sylvia Loveless, Administration Manager, on telephone 9468 2600.

Yours sincerely



JOHN C 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:

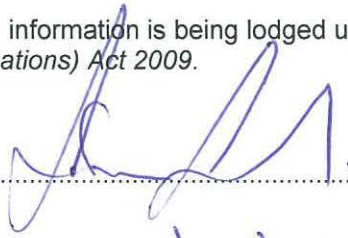
I am the President of the Victoria Police Branch of the Police Federation of Australia;

I am authorised to lodge the following prescribed information concerning forthcoming elections for Branch Executive Committee Members, Branch Office Holders and Delegates to Federal Council of the Victoria Police Branch of the Police Federation of Australia;

I declare that the total number of members of this Branch on 31 December 2015 was 14,513.

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

Signed:



Dated:

12/3/16.

Offices/Positions

- (1) Branch Executive Committee Members (4 positions)
- (2) Branch President (1 position)
Branch Senior Vice President (1 position)
Branch Junior Vice President (1 position)
Branch Treasurer (1 position)
Branch Assistant Treasurer (1 position)
Branch Delegate to Federal Council (2 positions)

Reasons for election:

- (1) Election for Branch Executive Committee Members for positions listed (1) above are required as the terms of office are due to expire in August 2016 in the normal course of events under the Rules of the organisation.
- (2) Election for all Branch Office positions and Delegates to Federal Council positions listed in (2) above are required as the terms of office for each position are due to expire in October 2016.

Elected by:

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

Nominations open:

- (1) For offices to be elected not later than 31 May 2016.
- (2) For offices to be elected to be determined by the Returning Officer of the Australian Electoral Commission.

Nominations close:

- (1) For offices to be elected by 12 noon, Friday 17 June 2016.
- (2) Nominations close Monday 3 October 2016 at 5:00pm.

Cut off date for roll:

- (1) In all cases - 7 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 4 October 2016.

Electoral System

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

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.