



FAIR WORK  
AUSTRALIA

## DECISION

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

**Police Federation of Australia -Western Australia Police Branch**  
(E2011/2704)

T. NASSIOS

MELBOURNE, 21 DECEMBER 2011

*Arrangement for conduct of election.*

[1] On 19 December 2011 the Police Federation of Australia -Western Australia Police Branch lodged with Fair Work Australia the prescribed information in relation to an election for the following offices:

Branch Executive Members from the following Regions:

Metropolitan Region (11),  
North (Kimberley/Pilbara) Region (1)  
Central (Midwest/Gascoyne) Region (1)  
East (Goldfields/Esperance) Region (1)  
South (Peel/Southwest/Wheatbelt/Great Southern) Region (1)

Branch President (who shall be the Chief Executive Officer and ex officio a Federal Council Delegate)  
Branch Vice President  
Branch Deputy Vice President  
Branch Treasurer  
Additional Branch Delegates to the 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  
FAIR WORK AUSTRALIA

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## ELLIOTT, Mark

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**From:** ELLIOTT, Mark  
**Sent:** Thursday, 22 December 2011 5:35 PM  
**To:** 'rhorton@wapolun.org.au'  
**Subject:** E2011/2704 election decision  
**Attachments:** E2011\_2704\_decision.pdf

Good afternoon Robert,

The Acting General Manager's Delegate has issued a decision in the abovementioned matter. A copy of that decision is attached.

Any enquiries in relation to the conduct of the election should be directed to the Australian Electoral Commission who may be contacted on (08) 6363 8011.

Regards,

**MARK ELLIOTT**

Organisations, Research and Advice

**Fair Work Australia**

Tel: 03 8661 7811

Fax: 03 9655 0410

[mark.elliott@fwa.gov.au](mailto:mark.elliott@fwa.gov.au)

11 Exhibition Street, Melbourne Victoria 3000

GPO Box 1994, Melbourne Victoria 3001

[www.fwa.gov.au](http://www.fwa.gov.au)

## **ELLIOTT, Mark**

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**From:** ELLIOTT, Mark  
**Sent:** Thursday, 22 December 2011 5:37 PM  
**To:** 'industrial.elections@aec.gov.au'  
**Cc:** 'Simon.Bulloch@aec.gov.au'  
**Subject:** E2011/2704 election decision  
**Attachments:** E2011\_2704\_decision.pdf; PFA-200v(01-04-11) .doc

The Acting General Manager's Delegate has issued a decision in the abovementioned matter.

A copy of that decision is attached as is a copy of the rules of the organisation.

Regards,

**MARK ELLIOTT**

Organisations, Research and Advice

**Fair Work Australia**

Tel: 03 8661 7811

Fax: 03 9655 0410

[mark.elliott@fwa.gov.au](mailto:mark.elliott@fwa.gov.au)

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## ELLIOTT, Mark

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**From:** ELLIOTT, Mark  
**Sent:** Tuesday, 20 December 2011 11:48 AM  
**To:** 'industrial.elections@aec.gov.au'  
**Cc:** 'Simon.Bulloch@aec.gov.au'  
**Subject:** PI: E2011/2704; PFA - WA POLICE BRANCH  
**Attachments:** PFA-WAPB-SECT189 APPIC FOR ELECTION-DEC192011.pdf

Good Morning,

Please find attached prescribed information lodged in the abovementioned matter.

Regards,

### MARK ELLIOTT

Organisations, Research and Advice

#### Fair Work Australia

Tel: 03 8661 7811

Fax: 03 9655 0410

[mark.elliott@fwa.gov.au](mailto:mark.elliott@fwa.gov.au)

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**From:** Robert Horton [<mailto:rhorton@wapolun.org.au>]  
**Sent:** Monday, 19 December 2011 5:56 PM  
**To:** ELLIOTT, Mark  
**Cc:** Denis Hayden; Russell Armstrong; Chris Vitler  
**Subject:** PFA - WA POLICE BRANCH - ELECTIONS 2012

Good afternoon Mark

Please find attached a signed copy of our FW (RO) Act Section 189 Application.

Unfortunately the copy I edited to incorporate the comment you provided got "lost" and our IT people were unable to retrieve it.

I have made the changes from what I recall and I think {hope} have captured what was needed.

If I have missed anything I can make the necessary changes and have the Acting President re-sign

Regards

Robert Horton  
Industrial Officer  
WA Police Union  
[Ph 9321 2155]



# Police Federation of Australia

Western Australia Police Branch  
639 Murray Street  
WEST PERTH WA 6005  
Telephone: 08 9321 2155  
Facsimile: 08 9321 2177  
Email: [polunion@wapolun.org.au](mailto:polunion@wapolun.org.au)

My Ref: C 0458

December 19, 2011

The General Manager  
Fair Work Australia  
GPO Box 1994  
MELBOURNE VIC 3001

Dear Sir

NOTIFICATION PUSUANT TO SECTION 189 (1) OF THE FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009

RE: POLICE FEDERATION OF AUSTRALIA – WA POLICE BRANCH EXECUTIVE ELECTION

FOR ATTENTION: Mr. M Elliot

I refer to the above matter and have at Attachment A provided the required Prescribed Information in order to begin the process of conducting the Elections of Executive Officers of the Police Federation – Western Australia Police Branch

Should there be any questions or further information required either Ms Chris Vitler or Robert Horton may be contacted on (08) 9321 2155.

Yours sincerely

A handwritten signature in black ink, appearing to read "D.J. Hayden".

D/J Hayden  
ACTING PRESIDENT



Police Federation  
of Australia

ATTACHMENT A

**FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009**

**PART 2 – CONDUCT OF ELECTIONS FOR OFFICE AND OTHER POSITIONS - SECTION 189  
(1)**

**POLICE FEDERATION OF AUSTRALIA - WESTERN AUSTRALIA POLICE BRANCH**

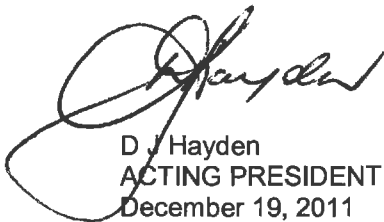
**PRESCRIBED INFORMATION IN RESPECT OF AN ELECTION**

I am an officer of the Police Federation of Australia - Western Australia Police Branch and am authorised by Rule 52AG, sub rule (4) and as Acting President as authorised by Rule 52AH, sub rule (1) to sign this statement which is lodged in accordance with the *Fair Work (Registered Organisations) Act 2009* at Section 189 (1).

The Registered Rules of the Police Federation of Australia at Part CA - Western Australia Police Branch require:-

1. Rule 52AA (2) requires that the Executive shall be elected by and from the financial membership of the Branch, now numbering at the date of this statement, 5,736.
2. Rule 52AA (2) provides that the Branch Executive for which the elections are required shall comprise 15 offices as under:-
  - 11 positions for the Metropolitan Region
  - One position for the North (Kimberly/Pilbara) Region
  - One position for the Central (Midwest/Gascoyne) Region
  - One position for the East (Goldfields/Esperance) Region
  - One position for the South (Peel/Southwest/Wheatbelt/Great Southern) Region
3. Rule 52AA Rule (9) directs that a "Region" shall be determined at Annual Conference and this occurred on June 24 2008 prior to the last elections conducted in 2009. There have been no subsequent determinations by Annual conference.
4. Rule 52AA(3) provides that the general election of Executive members shall be held every three years
5. Rule 52AA (3) provides that the Returning Officer should conduct the election so as to allow declaration of the result not later than the 15<sup>th</sup> of April, which for the current request will be 2012.

6. Rule 52AA (4), the sets down requirement for these elections which is the purpose for this request which arises from the impending normal course of events expiration of the term office of the current Executive Members who were elected in 2009, and who hold office until the dissolution of the 2012 Annual Conference, scheduled for June 25 – 26, 2012. At the dissolution of that Conference the Executive – Elect will commence their office.
7. Rule 52AO sub rules (2) and (3) provide for the intervals between the actions required of the Returning Officer, commencing with the publishing of a notice that the Returning Officer is about to conduct the elections for positions on the Executive of the Police Federation of Australia – Western Australia Police Branch.
8. Rule 52AA (2) (b) provides that within 10 working days of the election result being declared, the Executive – Elect shall meet to elect from within itself, the following Branch Office Bearers prescribed in Rule 52AA (1).
  - President (*ex officio* Federal Council Delegate ) 1
  - Vice President 1
  - Deputy Vice President 1
  - Treasurer 1
  - Federal Council Delegates 2
9. Rules 52AF and 52AP further direct that the Federal Council Delegates also be elected, with the office of President being an *ex officio* Federal Council Delegate, and that the order in which the elections conducted on a "first past the post" basis, shall be: -
10. Rule 52AO (3) provides for the Returning Officer's to determine the times and dates for nominations.
11. Rule 52AO(14) prescribes the Duties of the Returning Officer to determine the validity of votes and reject informal ballot papers; it provides for scrutiny, specifies that voting by proxy shall not be permitted and that the voting for an office shall be by a preferential ballot.



D. J. Hayden  
ACTING PRESIDENT  
December 19, 2011

## ELLIOTT, Mark

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**From:** Robert Horton [rhorton@wapolun.org.au]  
**Sent:** Monday, 19 December 2011 5:56 PM  
**To:** ELLIOTT, Mark  
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[Ph 9321 2155]