

15 September 2017

# Post-election Report

**E2017-20 - Police Federation of Australia -  
Victoria Police Branch**

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## Election(s) Covered in this Report

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Election Decision No/s: E2017/20

## Rules

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Rules used for the election: 200V: Incorporates alterations of 15/2/2017 [R2016/317]  
(replaces rulebook dated 23/12/2016 [R2016/283])

Rules difficult to apply/interpret: N/A

Module Rule reference (if any) N/A

## Roll of Voters

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Total number of voters on the Roll: 15,055  
Number of apparent workplace addresses: 847  
Number of non-current addresses: 0  
Other matters pertaining to the roll of voters: N/A

## Irregularities

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Details of written allegations of irregularities, and action taken by AEC: None

Other irregularities identified, and action taken: None

## Other Matters

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1. Rule 52CF.1 states that the election will be advertised by a Notice published in the Police Association Journal and in a daily newspaper circulating throughout Victoria.

The Association may consider removing the requirement to advertise in a daily newspaper and allow for the Notice to be circulated to members via cost effective electronic means (eg. e-mail, PFA website)

2. Rule 52CF.2A states that Candidates for election to the Branch Executive are entitled to lodge with their nominations a statement in support of their election not exceeding 250 words together with a photograph not exceeding 6 cm x 4 cm in size.

There were numerous candidate queries during the nomination process regarding the inclusion of HTV information (diagrams/preference instructions) with candidate statements.

Recommend that the PFA clarify this issue so it is clear to candidates what is permitted or excluded under the Rules and it is also clear whether any HTV information is counted as part of the word limit or not.

## Attachments

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- 1) Declaration of results for Contested Offices



Allison Valentine  
Returning Officer

15 September 2017



24 August 2017

Branch Secretary  
Police Federation of Australia-Victoria Police Branch  
general@tpav.org.au

Dear Branch Secretary,

cc: Police Federation of Australia, pfa@pfa.org.au

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

The Australian Electoral Commission has provided the Registered Organisations Commission (the ROC) a declaration of results for the election of contested offices for Victoria Police Branch [E2017/20]. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

#### **A notice must be published on the organisation's website**

The organisation or branch must publish on its website a notice that a copy of the report is available from the organisation, branch or the AEC on request. The notice must be kept on the website for a period of at least 3 months (see regulation 141 of the Fair Work (Registered Organisations) Regulations 2009).

#### **Holders of office required to undertake approved training**

Section 293K of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires 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 are provided for in the RO Act.

#### **Organisation must notify the Commission of changes**

Also, section 233(2) of the RO Act requires that an organisation must notify the Commission **within 35 days of any changes** to the holders of office in the organisation. **If there are no changes a notification is not required.** If the election has resulted in **any changes** to the holders of office, the Police Federation of Australia-Victoria 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. A template notification of changes, which may assist you, is attached. If any change does not apply until a date in the future, you do not 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**  
**Registered Organisations Commission**

**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 operation:
    1. *[include name of each new branch]*
    2. ...
  - CEASED operation:
    1. *[include name of each closed branch]*

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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)

2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

*[PLEASE NOTE: This declaration must be submitted to the Registered Organisations Commission within **35 days** of the change. It can be submitted to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).]*



**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.*

<b>Branch</b>	<b>Date of Change</b>	<b>Name of Office that has changed</b>	<b>Name of <u>Outgoing</u> Office Holder</b>	<b>Name of <u>New</u> Office Holder</b>	<b>Postal Address of <u>New</u> Office Holder</b>	<b>Occupation of <u>New</u> Office Holder</b>
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</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>Full Name</i>	<i>As above</i>	<i>mechanic</i>
<i>...</i>						
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</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>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
<i>...</i>						



**Reference:** V17/56

Ms Sylvia Loveless  
Police Federation of Australia  
Victoria Police Branch  
1 Clarendon St  
EAST MELBOURNE VIC 3002

Dear Ms Loveless,

**Police Federation of Australia  
E2017/20 - Scheduled Election – Branch Executive Members Victoria Police Branch (4)**

The declaration of the election for contested offices is attached.

The election is now complete.

Yours sincerely



Allison Valentine  
Returning Officer

21 August 2017

cc all candidates

**Police Federation of Australia  
Victoria Police Branch  
E2017/20 - Branch Executive Members**

**Declaration of Results for Contested Offices**

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	<b>15055</b>
Ballot papers issued	<b>15055</b>
Replacement ballot papers issued	<b>2</b>
<b>Total Ballot Papers Issued</b>	<b>15057</b>
Ballot papers/envelopes returned for scrutiny	<b>3987</b>
Less ballot papers/envelopes rejected at preliminary scrutiny	<b>20</b>
Adjusting balance	<b>-1</b>
<b>Total Ballot Papers Admitted to Scrutiny</b>	<b>3966</b>
Percentage of ballot papers returned to number issued	<b>26%</b>
Ballot papers returned as unclaimed mail	<b>149</b>
Ballot papers not returned	<b>10921</b>

**Branch Executive Member (4)**

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
PORTER, Geri	231	2370
McCANN, Calum	539	0
LAMB, Michael	139	2120
ASHWORTH, Kenneth Craig	120	2066
McLAUGHLIN, James	67	0
WHITE, David	195	0
ALETRAS, Nick	231	0
SMITH, Vanessa	161	0
KEIGHLEY, Grant	75	0
SUTHERLAND, Angus	196	0
LAIRD, John	1265	1964
BOWLES, Doug	53	0
COULSON, Angela	266	0
GAFFEE, Jason	286	0
STILL, Bec	104	0
Total votes	<b>3928</b>	<b>8520</b>
Formal ballot papers	<b>3928</b>	<b>3928</b>
Informal ballot papers	<b>38</b>	<b>38</b>

I declare Kenneth Craig Ashworth, John Laird, Michael Lamb and Geri Porter elected.

Allison Valentine  
Returning Officer  
Australian Electoral Commission

21 August 2017



## DECISION

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

### **Police Federation of Australia** (E2017/20)

MR ENRIGHT

MELBOURNE, 8 MARCH 2017

*Arrangement for conduct of election.*

[1] On 8 February 2017 the Victorian Branch of the Police Federation of Australia (the Branch) lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Branch Executive Members (4)

[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.313

8 February 2017

Ms Bernadette O'Neill  
General Manager  
Fair Work Commission  
Email: [orgs@fwa.gov.au](mailto:orgs@fwa.gov.au)

Dear Ms O'Neill

**Re: Branch Executive Committee Elections 2017**

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 2017. The positions subject to this election are currently occupied by the following Executive Committee members:

- John Laird
- Michael Lamb
- Geraldine Porter
- Kenneth Ashworth

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.

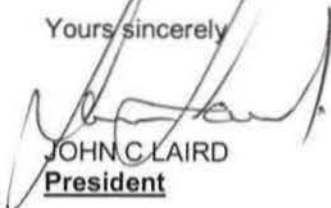
It is our intention to advertise the election by way of Notice in the April 2017 edition of *The Police Association Journal*. We also intend providing our membership preliminary advice of the election by newsletter, The Police Association's *InBrief*, which is distributed to our membership via e-mail and posted on our website [www.tpav.org.au](http://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 14 September 2017, the date of the annual general meeting of the Branch.

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**

**PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009***

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

1. I am authorised to sign this statement containing prescribed information for the Victoria Police Branch of the Police Federation of Australia.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.

Signed:

  
.....  
President, Victoria Police Branch of the Police Federation of Australia

Dated:

  
.....

**ANNEXURE A**

Elections that are required:

<b>Branch</b>	<b>Name of Office</b>	<b>Number required</b>	<b>Voting System</b> <i>Direct voting system; Collegiate electoral system</i>	<b>Reason for Election</b> <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	<b>Electorate</b>
<i>Victoria Police Branch</i>	<i>Executive Committee Member</i>	<i>4</i>	<i>Direct voting system</i>	<i>Scheduled</i>	<i>Membership of the Branch</i>

Important dates:

	<b>Direct Voting System</b>	<b>Collegiate Electoral System</b>
<b>Nominations OPEN</b>	<i>26 May 2017 (rule 52CF(1))</i>	
<b>Nominations CLOSE</b>	<i>16 June 2017 (rule 52CF(2))</i>	
<b>Roll of Voters cut off date</b>	<i>19 May 2017 (rule 52CF(5))</i>	

Please note: that for insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as 'to be determined by the returning officer'. Casual vacancies must be accompanied by proof of resignation and attached to this statement.