



Police Federation
of Australia

The National Voice of Policing

ABN 31 384 184 778

Level 1, 21 Murray Crescent
GRIFFITH ACT 2603

Tel: (02) 6239 8900
Fax: (02) 6239 8999

29 March 2018

The General Manager
Fair Work Commission
GPO Box 1994
Melbourne VIC 3001

Dear Sir

Alteration of Police Federation of Australia Rules

Please be advised that, in accordance with Police Federation of Australia (PFA) Rule 33, "Making or Alteration of Federal Rules", rule alterations were made at a Special Federal Council meeting teleconference on 27 March 2018.

I have attached a Declaration of Authorised Officer in accordance with Regulation 126 of the Fair Work (Registered Organisations) Regulations 2009 duly signed by the President of the PFA, Mark Carroll, an officer of the union.

Also attached are the relevant Annexures referred to in the Declaration.

Should you have any questions in relation to the documents, please do not hesitate to contact me.

Sincerely yours

Mark Burgess
Chief Executive Officer



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Declaration of Authorised Officer in accordance with Regulation 126 of the *Fair Work (Registered Organisations) Regulations 2009*

Alteration of other Rules of Organisations in accordance with section 159 of the *Fair Work (Registered Organisations) Act 2009*

I Mark Carroll, of Level 2, 27 Carrington Street, Adelaide, am the President of the Police Federation of Australia and am authorized to give this notice of particulars of alterations to the rules of the Police Federation of Australia and to make this declaration as required by Regulation 126 of the *Fair Work (Registered Organisations) Regulations 2009*.

1. I declare that the alterations were made in accordance with the rules of the Police Federation of Australia.
2. The action taken under the rules to make this alteration were as follows:
 - a. A Notice of proposed rule change was sent to all delegates via email on 23 February 2018 which included a copy of the proposed rule change in accordance with PFA Rule 33(b). A copy of the Notice is attached at ANNEXURE A
 - b. The Federal Council Meeting was called in accordance with PFA Rules 16 and 17
 - c. 10 delegates, representing every branch participated in the meeting via teleconference. A list of delegates is attached at ANNEXURE B
 - d. The motions to alter the rule was put and carried unanimously at that meeting. A copy of the draft minutes of the meeting is attached at ANNEXURE C

3. I declare that the particulars set out in this notice are true and correct to the best of my knowledge and belief.

A handwritten signature in black ink that reads "Mark Carroll". The signature is written in a cursive style with a large, looped initial 'M' and a trailing flourish.

Signed:

Mark Carroll
President

Date: 29 March 2018

ANNEXURE C



Police Federation
of Australia

The National Voice of Policing

SPECIAL FEDERAL COUNCIL MEETING

2018

DRAFT MINUTES

TELECONFERENCE

Tuesday, 27 March 2018
12 noon (ADST)

DELEGATES

Australian Federal Police Association Branch

Angela SMITH
Graeme COOPER
Adrian SMITH

New South Wales Branch

Scott WEBER – Proxy's from
Pat Gooley
Gary Merryweather
Jason Hogan
Tony King
Dallas Pratt
Aaron Rynehart
Roger Campton

Northern Territory Branch

Paul McCUE – Proxy from
Col Goodsell

South Australia Branch

Mark CARROLL – Proxy's from
Tom Scheffler
Trevor Milne

Tasmania Branch

Pat ALLEN – Proxy from
Gavin Cashion

Victoria Branch

John LAIRD – Proxy's from
Max Jackson
Michael Lamb
Gleri Porter
Dermot Avon
Alex Griffith
Karl David

Western Australia Branch

George TILBURY – Proxy's from
Brandon Shortland
Michael Kelly
Harry Arnott

Queensland Branch

Ian LEAVERS – Proxy's from
Shayne Maxwell
Peter Thomas
Grant Wilcox
Michael Kelly
Tony Collins

APOLOGIES

New South Wales

Pat Gooley
Gary Merryweather
Jason Hogan
Tony King
Dallas Pratt
Aaron Rynehart
Roger Campton

Northern Territory

Col Goodsell

South Australia Branch

Tom Scheffler
Trevor Milne

Tasmania Branch

Gavin Cashion

Victoria Branch

Max Jackson
Michael Lamb
Gleri Porter
Dermot Avon
Alex Griffith
Karl David

Western Australia Branch

Brandon Shortland
Michael Kelly
Harry Arnott

Queensland Branch

Shayne Maxwell
Peter Thomas
Grant Wilcox
Michael Kelly
Tony Collins

OBSERVERS

Police Federation of Australia

Mark BURGESS
Debbie MARTINIELLO (minute taker)

The President declared the meeting open at 12.04pm AEDT and welcomed delegates to the teleconference.

The CEO took the Executive through the proposed rule changes and the rationale for the proposed changes that were included in the agenda papers distributed on 23 February 2018.

PROPOSAL TO RESCIND RULE 22A:

Moved John LAIRD
Seconded Paul McCUE

That Rule 22A be rescinded.

CARRIED

PROPOSAL TO AMEND RULE 21(c)(i):

Moved Angela SMITH
Seconded Scott WEBER

That Rule 21(c)(i) be amended to read –

The election of Honorary Officers shall be held during the Annual Federal Council Meeting. At the time the elections are to be held, the Returning Officer shall call for nominations for the positions of Executive Members in accordance with the provisions of Rules 20 and 21 and conduct the elections in a manner consistent with the provisions of Rules 20 and 21. Successful candidates will take up their positions upon the close of the Federal Council meeting and shall hold office until the close of the subsequent Federal Council meeting.

CARRIED

PROPOSAL TO AMEND RULE 21(c)(iv)

Moved John LAIRD
Seconded Ian LEAVERS

**That Rule 21(c)(iv) be amended to read –
Nominations for the positions of Vice-Presidents shall be called for by the
Returning Officer immediately after the election of the President has been
concluded. If more nominations are received than there are vacancies, the
Returning Officer shall forthwith conduct a ballot of Executive Members and
declare the result as soon as it becomes available.**

CARRIED

There being no further business, the meeting closed at 12.22pm.

DRAFT

ANNEXURE B

POLICE FEDERATION OF AUSTRALIA (PFA)

SPECIAL FEDERAL COUNCIL MEETING

TELECONFERENCE

27 MARCH 2018

DELEGATES' IN ATTENDANCE

QUEENSLAND BRANCH	Ian Leavers
NEW SOUTH WALES BRANCH	Scott Weber
AUSTRALIAN FEDERAL POLICE BRANCH	Angela Smith
	Graeme Cooper
	Adrian Smith
VICTORIA BRANCH	John Laird
TASMANIA BRANCH	Pat Allen
SOUTH AUSTRALIA BRANCH	Mark Carroll
NORTHERN TERRITORY BRANCH	Paul McCue
WESTERN AUSTRALIA BRANCH	George Tilbury

ANNEXURE A



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NOTICE OF PROPOSED RULE CHANGE PFA SPECIAL FEDERAL COUNCIL MEETING TUESDAY 27 MARCH, 2018 12PM AEDT

In accordance with PFA rule 16(b), notice is hereby given of a Special Federal Council meeting to be held via teleconference on Tuesday 27 March, 2018 at 12pm AEDT.

The purpose of the meeting is to deal with the following rule changes as per PFA Rule 33.

It is proposed that several rules governing PFA elections be either rescinded or amended.

PROPOSAL TO RECIND RULE 22A:

Rule 22A was added to the PFA rules to cater for the 2016 election of delegates to the Federal Executive and subsequent election of the Federal President, Federal Vice Presidents (2) and Treasurer.

In 2016 the PFA was advised by the Fair Work Commission that legal advice had confirmed that the Australian Electoral Commission (AEC) was not empowered by legislation to conduct the PFA's elections, as per our rules, at the 2016 Federal Council Meeting as it was being held in New Zealand.

As a result we amended the PFA rules to allow the 2016 PFA elections to be conducted outside of the Federal Council meeting.

When this rule was changed, advice to delegates at the time noted that the change was for the 2016 elections only and that we would ultimately seek to delete this clause some time post the 2016 Federal Council meeting.

RECOMMENDATION:

That Rule 22A be rescinded

PROPOSAL TO AMEND RULE 21(c)(i):

Traditionally, the election of Honorary Officers of the Federation have been conducted “immediately upon the commencement of the afternoon session on the second day of the Annual Federal Council Meeting”.

Following the decision to conduct the 2017, and subsequent Federal Council meetings in Canberra, the Executive has recommended that we amend Rule 21(c)(i) to allow the elections to be held “during” the Annual Federal Council Meeting in case future meeting/s were determined to be held over one day instead of two days.

RECOMMENDATION:

That Rule 21(c)(i) be ended to read –

The election of Honorary Officers shall be held during the Annual Federal Council Meeting. At the time the elections are to be held, the Returning Officer shall call for nominations for the positions of Executive Members in accordance with the provisions of Rules 20 and 21 and conduct the elections in a manner consistent with the provisions of Rules 20 and 21. Successful candidate will take up their positions upon the close of the Federal Council meeting and shall hold office until the close of the subsequent Federal Council meeting.

PROPOSAL TO AMEND RULE 21(c)(iv)

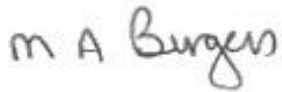
Rule 21(c)(iv) currently reads –

One position of Vice-President shall be held ex officio by the Australian Federal Police Association Executive member unless that Australian Federal Police Association Executive member has been elected President. This provision shall remain in force for a transitional period of 5 years from the date of certification of the Rules, notwithstanding any decision made by Federal Council in accordance with Rule 15, Clause (c), to declare either or both Vice-President Positions to be Full Time Officer positions. Nominations for the positions of Vice-Presidents shall be called for by the Returning Officer immediately after the election of the President has been concluded. If more nominations are received than there are vacancies, the Returning Officer shall forthwith conduct a ballot of Executive Members and declare the result as soon as it becomes available.

The first 5 years referred to in this rule expired in 2004. This rule is now outdated and can be amended.

RECCOMENDATION:

**That Rule 21(c)(iv) be amended to read –
Nominations for the positions of Vice-Presidents shall be called for by the
Returning Officer immediately after the election of the President has been
concluded. If more nominations are received than there are vacancies, the
Returning Officer shall forthwith conduct a ballot of Executive Members and
declare the result as soon as it becomes available.**

A handwritten signature in black ink that reads "m A Burgess". The signature is written in a cursive, lowercase style.

Mark Burgess
Chief Executive Officer
23 February, 2018