



# 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

12 November 2019

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 the Federal Council meeting held in Canberra on 18 September 2019.

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.

Yours sincerely

Scott Weber  
Chief Executive Officer



# 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

## **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 authorised 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 15 August 2019. The notice 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. 29 delegates were present and participated in the meeting. A list of delegates is attached at ANNEXURE B.

2.

- d. The motion to alter the rules was put and carried unanimously at that meeting. A copy of the relevant section 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 initial 'M' and 'C'.

Signed:

Mark Carroll  
President

Date: 12 November 2019

## Debbie Martiniello

---

**From:** Scott Weber  
**Sent:** Thursday, 15 August 2019 11:10 AM  
**To:** (AFPA) Adrian Smith; (AFPA) Angela Smith; (NSW) Craig Partridge; (NSW) Dallas Pratt; (NSW) Jason Hogan; (NSW) Jeff Budd; (NSW) Kevin Morton; (NSW) Mick Buko; (NSW) Oliver Behrens; (NSW) Tony King; (NT) Owen Blackwell; (NT) Paul McCue; (QLD) Colin Muller; (QLD) Ian Leavers; (QLD) Kevin Groth; (QLD) Peter Thomas; (QPU) Andrew Williams; (QPU) Shane Prior; (SA) Bernadette Zimmermann; (SA) Mark Carroll; (SA) Trevor Milne; (TAS ) Colin Riley; (VIC) Alex O'Toole; (VIC) Damien Pepler; (VIC) Dermot Avon; (VIC) Geri Porter; (VIC) John Laird; (VIC) Karl David; (VIC) Max Jackson; (WA) Brandon Shortland; (WA) Harry Arnott; (WA) Mick Kelly; (WA) Ward Adamson  
**Subject:** Federal Council Notice of Meeting 18th September 2019  
**Attachments:** Rule change notice to Delegates.pdf; Federal Council Program and Agenda 2019 Notice of Proposed Rule Alteration on Agenda.pdf

Good Morning PFA Delegates,

Attached is the Federal Council Agenda and proposed rule change to Rule 31. Federal Council will be held at the Realm Hotel, Canberra.

Tuesday the 17<sup>th</sup> September

9am – 3pm PFA Women's Advisory Committee Meeting  
3pm National Police Memorial Meeting & AGM  
3.30pm -5.30pm PFA Executive Meeting  
6.30pm-8pm Welcome and Lawyers Network Reception (Venue to be advised)

Wednesday the 18<sup>th</sup> September

8.45am – 5pm PFA Federal Council  
6.45pm Delegates meeting at the rear Realm Foyer (Burbury Close) for coach to National Museum of Australia  
7pm for 7.30pm National Police Bravery Awards at the National Museum of Australia

Scott Weber  
Chief Executive Officer



**Police Federation  
of Australia**  
Celebrating 20 years as  
The National Voice of Policing

Level 1, 21 Murray Cres  
GRIFFITH ACT 2603  
Ph: 02 6239 8900  
Fax: 02 6239 8999  
[www.pfa.org.au](http://www.pfa.org.au)

**POLICE  
WEEK**  
14-30 SEPTEMBER 2019



**GRADUATION DAY**  
BUY YOUR COPY HERE:  
[FINEPRINT.NET.AU/GRADUATION-DAY](http://FINEPRINT.NET.AU/GRADUATION-DAY)



# 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

## **NOTICE OF PROPOSED RULE ALTERATION PFA FEDERAL COUNCIL MEETING WEDNESDAY, 18 SEPTEMBER 2019 9.00am AEST (Agenda Item 23 at 4.45pm)**

In accordance with PFA rule 16(c), notice is hereby given of a proposed rule alteration listed on the agenda for the Federal Council meeting to be held at the Hotel Realm in Canberra on Wednesday, 18 September 2019 at 9.00am AEST. The specific agenda item is #23 scheduled for 4.45pm.

The purpose of the proposed alteration is to amend Rule 31 that deals with the quorum for any meeting of the Federal Council or the Federal Executive.

### **PROPOSAL TO AMEND RULE 31:**

Currently, Rule 31 of the Police Federation of Australia rules states that "The quorum at any meeting of the Federal Council or the Federal Executive shall be one half of the persons entitled to attend and vote".

You will recall that earlier this year, a Special Federal Council meeting held by teleconference was declared invalid since there were insufficient delegates present on-line or in person to reach a quorum. Following legal advice, it was determined that proxies count towards voting rights however, they do not count towards attendance at the meeting and therefore the quorum.

It is therefore proposed that the Rule be amended to allow for a quorum to be reached with a minimum of one quarter of the members present plus additional proxies to reach a number that is at least one half of members as required.

**RECOMMENDATION:**

That Rule 31 be amended to read as follows:

**THE QUORUM AT ANY MEETING OF FEDERAL COUNCIL, OR THE FEDERAL EXECUTIVE SHALL BE ONE HALF OF THE PERSONS ENTITLED TO ATTEND AND VOTE, OR VOTE BY PROXY PURSUANT TO CLAUSE (c)(i) OF RULE 30, PROVIDED THAT THERE SHALL BE AT LEAST ONE QUARTER OF THE MEMBERS THEN HOLDING OFFICE ON THE BODY CONCERNED PRESENT IN PERSON AT ALL TIMES DURING THE MEETING.**

A handwritten signature in black ink, appearing to read 'S. Weber', with a horizontal line extending to the right.

Scott Weber  
Chief Executive Officer  
15 August 2019



### 30 - FEDERAL VOTING

- (a) Voting at meetings of Federal Council and the Federal Executive shall be by show of hands except as otherwise determined by the relevant meeting.
- (b) At meetings of the Federal Council or the Federal Executive the Chair shall have a deliberative vote only.
- (c) In the event of a member of the Federal Council or Federal Executive being for any reason or at any time unable to be present at any meeting of the same or unable to exercise his/her vote or votes as a delegate or Executive member under these Rules;
  - (i) he/she may appoint in writing another member of the Federal Council or Federal Executive as the case may be as his/her proxy to exercise his/her vote or votes at such meeting; or
  - (ii) failing such appointment of a member of the Federal Council, his/her vote or votes may be exercised on his/her behalf by a proxy delegate representing the same Branch members of the Federation, as provided for in the Rules of the Branch affected.

### 31 - FEDERAL QUORUMS

The quorum at any meeting of Federal Council, or the Federal Executive shall be one half of the persons entitled to attend and vote or vote by proxy pursuant to clause (c)(i) of Rule 30, provided that there shall be at least one quarter of the members then holding office on the body concerned present in person at all times during the meeting.



# Federal Council Meeting 2019 – Program and Agenda

Conference Venue and Accommodation:

Hotel Realm

18 National Circuit, CANBERRA ACT 2600

<http://hotelrealm.com.au/>

---

## Tuesday, 17 September 2019

9.00am –  
3.00pm

**PFA Women's Advisory Committee Meeting**

Venue: High Courtyard North, Ground Floor, Hotel Realm

---

3.00pm

**National Police Memorial Board of Directors Meeting & AGM**

Venue: High Courtyard North, Ground floor, Hotel Realm

---

3.30pm-  
5.00pm

**PFA Executive Meeting**

Venue: High Courtyard North, Ground floor, Hotel Realm

---

6.30pm-  
8pm

**Welcome and Lawyers Network Reception**

Venue: to be advised

***Federal Council Delegates, Guests, Observers and Partners invited***

***Dress – Neat Casual***

---

***Free night for Dinner***



# FEDERAL COUNCIL MEETING AGENDA

Venue: National Ballroom 2, Level 1, Hotel Realm

Wednesday, 18 September 2019

<b>8.45am</b>		<b>Delegates arrive - Tea and coffee available</b>
<b>9.00am</b>	1	President opens meeting and meeting observes one minute's silence in honour of deceased members)
	2	Housekeeping
	3	Credentialing of Delegates and Apologies
	4	Adoption of Standing Orders and Rules of Debate
	5	Adoption of Minutes of the Federal Council Meeting - September 2018 Adoption of Minutes of Special Federal Council Meeting – January 2019 Adoption of Minutes of Special Federal Council Meeting – July 2019
	6	Welcome, Opening of Conference by the Hon Peter Dutton MP
<b>9.15am</b>	7	President's Report by PFA President, Mark Carroll
<b>9.30am</b>	8	Financial Report a. Treasurer's Report b. Presentation of the PFA Financial Statements for 2018/19 c. Appointment of Auditor for 2019/20 d. Setting of capitation fees for 2019/20
<b>9.45am</b>	9	Chief Executive Officer's Report and Presentation of Annual Report
<b>10.00am</b>		<b>Morning Tea Break</b>
<b>10.20am</b>	10	Political Report
<b>11.00am</b>	11	Social Media in Elections – John Baker, KWP Media
<b>11.45am</b>	12	Events following Massacre in Christchurch - Chris Cahill (NZ Police Association)
<b>12.30pm</b>	13	Changes to Policing and Technology
<b>12.45pm</b>		<b>Lunch Break</b>
<b>1.15pm</b>	14	Elections – Returning Officer Ishtiaq Ahmed, Australian Electoral Commission
<b>1.30pm</b>	15	Presentation on Royal Commissions - Chris Gorissen (Victoria Branch)
<b>2.00pm</b>	16	Vehicle Borne Attacks – Presenter NSW / VIC Specialist
<b>2.30pm</b>	17	Member Mental Health and Well-Being Campaign Report / Blue Hub - Peter Abbey (Victoria Branch)
<b>2.45pm</b>	18	Member Well-being Web Portal – Scott Weber
<b>3.00pm</b>	19	Lawyers Network Report – Morry Bailes, Tindall Gask Bentley
<b>3.30pm</b>		<b>Afternoon Tea Break</b>
<b>4.00pm</b>	20	PFA Women's Advisory Committee (WAC) Report
<b>4.15pm</b>	21	'Uniforms For Kids' Indigenous Communities - AC Deb Platz (AFP) and Danny Buxton (QLD)
<b>4.30pm</b>	22	Presentation on Rules and Compliance - Peter Punch, Carroll & O'Dea Lawyers and Chris Enright, Executive Director, Registered Organisations Commission
<b>4.45pm</b>	23	Proposed Rule Alteration in Relation to Quorums for Federal Council and Federal Executive Meetings
<b>5.00pm</b>		Conference close
<b>6.45pm</b>		Delegates to meet in Hotel Realm Foyer for Coach Transfer from rear of hotel (Burbury Close) to National Museum of Australia
<b>7.00pm for 7.30pm</b>		<b>National Police Bravery Awards</b> Venue: National Museum of Australia <b>Federal Council Delegates, Guests, Observers and Partners invited</b> <b>Dress – Formal (Lounge suit)</b>

# ANNEXURE B



**Police Federation  
of Australia**  
The National Voice of Policing

## **FEDERAL COUNCIL MEETING 2019**

**Hotel Realm, CANBERRA ACT**

**Wednesday, 18 September 2019  
9.00am**

### **DELEGATES PRESENT**

#### **South Australia Branch**

Mark CARROLL  
Bernadette ZIMMERMANN  
Trevor MILNE

#### **New South Wales Branch**

Tony KING  
Kevin MORTON  
Craig PARTRIDGE  
Jason HOGAN  
Oliver BEHRENS  
Mick BUKO  
Dallas PRATT  
Jeff BUDD

#### **Northern Territory Branch**

Paul McCUE  
Owen BLACKWELL

#### **Tasmania Branch**

Colin RILEY

#### **Victoria Branch**

John LAIRD  
Karl DAVID  
Max JACKSON  
Geri PORTER  
Damien PEPPLER  
Alex O'TOOLE

#### **Western Australia Branch**

Harry ARNOTT  
Michael KELLY  
Ward ADAMSON

**Queensland Branch**

Ian LEAVERS  
Shane PRIOR  
Kevin GROTH  
Colin MULLER

**Australian Federal Police Association Branch**

Angela SMITH  
Adrian SMITH

## ANNEXURE C

- ROC has developed 200 tools to help understand compliance obligations;
- officers must apply right standards;
- culture is what people do when no one is watching; and
- the regulatory enforcement environment has changed since Hayne. The regulator must always ask if it could make a case and if it can, it must ask whether it would be in the best interests of the public to prosecute.

### **Agenda item 21 – Proposed Rule Change in Relation to Quorums for Special Federal Council Meetings**

The President noted that the purpose of the proposed alteration is to amend Rule 31 that deals with the quorum for any meeting of the Federal Council or the Federal Executive.

Currently, Rule 31 of the Police Federation of Australia rules states that “The quorum at any meeting of the Federal Council or the Federal Executive shall be one half of the persons entitled to attend and vote”.

You will recall that earlier this year, a Special Federal Council meeting held by teleconference was declared invalid since there were insufficient delegates present on-line or in person to reach a quorum. Following legal advice, it was determined that proxies count towards voting rights however, they do not count towards attendance at the meeting and therefore the quorum.

It is therefore proposed that the Rule be amended to allow for a quorum to be reached with a minimum of one quarter of the members present plus additional proxies to reach a number that is at least one half of members as required.

**Moved**                      **Riley**  
**Seconded**                **Smith**

**That Rule 31 be amended to read as follows:**

**The quorum at any meeting of Federal Council, or the Federal Executive shall be one half of the persons entitled to attend and vote, or vote by proxy pursuant to clause (c)(i) of Rule 30, provided that there shall be at least one quarter of the members then holding office on the body concerned present in person at all times during the meeting.**

**CARRIED**