

10 April 2019



**AFPA**

Australian Federal  
Police Association

**Mr Ishtiaq Ahmed**

Returning Officer – Industrial and Commercial Elections NSW State  
Office Australian Electoral Commission  
Level 10 59 Goulburn Street  
Haymarket NSW 2000

**Post-Election Report E2018/215**

I refer to your post-election report dated 9 April 2019.

I am aware that the AFPA is required to give a written response to the Report within 30 days of receipt of it, in accordance with Section 198 of the Fair Work (Registered Organisations) Act 2009 ('the RO Act').

I will ensure that the Report and this response to that Report will be provided to members by publication on the AFPA website for a minimum period of three months from the date of this letter. Additionally, a copy of the Report and response will be made available to the Fair Work Commission and the Registered Organisations Commissioner.

The report raised matters relating to following Rules:

- 94
- 94.3(j)
- 96(3)

The issue identified in your comments relating to Rule 94 we believe to be specific to Rule 94(1)(c). The matter was dealt with by amendment to the relevant Rule by the National Council on 21 March 2019. The amendment has been submitted to the Fair Work Commission for certification.

The matters identified in your report relevant to Rules 94.3(j) and 96(3) are acknowledged. These matters will be addressed following the certification of current amendments under consideration by the Fair Work Commission and conclusion of the elections required under Rule 95 in June/July 2019.

You also identify in your report that no closing time for the withdrawal of nominations is identified within the Rules. It is likely the remedy to this issue will require further minor amendment to current Rule 94(3)(a) and Rule 95 (5).

This matter will be addressed following the certification of current amendments under consideration by the Fair Work Commission and conclusion of the elections required under Rule 95 in June/July 2019.

Any proposed amendments will require the approval of the National Council pursuant to Rule 79 of the Rules.

Yours Sincerely,

**Adrian Smith,**

Branch Secretary/Treasurer