

From: s22
To: s22
Cc: s22
Subject: RE: Urgent- FW: E2024/78- Branch President PASA query - S 190 and other issue [SEC=OFFICIAL]
Date: Monday, 1 July 2024 3:40:00 PM
Attachments: [image001.jpg](#)
[image003.gif](#)
Importance: High

Hello s22

Thank you for checking with me. s47C

Additionally, I suggest the following edits:

If you want to discuss, let me know.

Cheers, s22

.....

Hi s47F

Thanks for your email on 27 June 2024 regarding the PASA election E2024/78.

In relation to your allegation of breaches of s190 of the Fair Work (Registered Organisations) Act 2009, if you have any evidence that union staff campaigned during their work hours and not in the own personal time, please send it through and we will review the evidence. You may also seek your own legal advice regarding whether s190 was breached.

In regards to your concerns about the accuracy of the roll of voters, members who did not receive ballot papers could have contacted the AEC to update their address details and be sent a replacement ballot kit to their new address. Unfortunately, it is too late for that now with the ballot closing on 4 July 2024.

In regards to voting, voters in this election can only vote once and cannot change their vote.

Kind regards

.....

From: s22
Sent: Monday, July 1, 2024 1:15 PM
To: s22
Cc: s22
Subject: RE: Urgent- FW: E2024/78- Branch President PASA query - S 190 and other issue [SEC=OFFICIAL]

Hi s22 – can you please review the following draft response:

Thanks

Cheers

s22

Hi s47F

Thanks for your email on 27 June 2024 regarding the PASA election E2024/78.

s47C If you have any evidence that union staff campaigned on their work hours and not in the own personal time, please send it through and we will review the evidence. You may also seek your own legal advice regarding whether s190 was breached.

The members you refer to that did not receive ballot papers could have contacted the AEC to update their address details and be sent a replacement ballot kit to their new address.

Voters in this election can only vote once and cannot change their vote.

Kind regards

s22

s22
Assistant Director, Industrial Elections and Ballots
Service Design and Foundations Branch
Australian Electoral Commission
Phone: s22
Email: s22



From: s47F
Sent: Thursday, June 27, 2024 3:03 PM
To: IEB Events <IEBEvents@aec.gov.au>
Subject: Re: E2024/78- Branch President PASA query [SEC=OFFICIAL]

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Thank you for your reply s22

On the FWC website Section 190 read this

Organisation assisting particular candidates
It is an offence for an organisation or branch to allow its property to be used to help one candidate against another candidate in an election for office or other position (section 190). This includes use of organisation or branch resources such as, but not limited to:

- o staff
- o facilities
- o work-issued vehicles, mobile phones and computers (even if private use is otherwise allowed).

My argument to what you've said, is it's staff that are lobbying. Board members are paid by the Police Association. And they've created emails that depict they are from PASA and explain they are on the board. Would you like to see the emails?

I also have another 2 queries..

The following is direct message to me from a member..

"I have been trying to get onto AEC and finally got someone this morning to help.
My name was never on their list.

s47F

So this example, s47F and has not received ballot papers.

I also know of at least 20 known to me members that have not received their ballot papers to vote because the wrong address was recorded either at AEC or PASA.

What does this mean for this election? If some members weren't even able to vote.
Some may have called in, but if the election outcome is close in numbers, does that mean an appeal is available to other candidates that don't win.

s47F

Is that possible or once it's in, it's in?

I'm sorry for all the queries, but this is all new to me and some of it doesn't seem fair to the process.

Kindest Regards,

s47F

On 27 Jun 2024, at 9:10 AM, IEB Events <IEBEvents@aec.gov.au> wrote:

Dear s47F

Thank you for your email sent on 24 June 2024 regarding the election E2024/78.

It does not appear that s190 has been breached.

s190 of the Fair Work (Registered Organisations) Act 2009 states:

FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009 - SECT 190 : Organisation or branch must not assist one candidate over another.

An organisation or branch commits an offence if it uses, or allows to be used, its property or resources to help a candidate against another candidate in an election under this Part for an office or other position.
Penalty: 100 penalty units.

s47F

The organisations rule book can be found on the Fair Work Commission website under the tab 'Registered Organisation'.

<https://www.fwc.gov.au/registered-organisations/find-registered-organisation>

Thank you for bringing concerns to my attention.

Regards

s22 |Senior Project Officer
Industrial Elections and Ballots | Service Design and Foundations Branch
Australian Electoral Commission

-----Original Message-----

From: s47F

Sent: Monday, June 24, 2024 8:43 PM

To: IEB Events <IEBEvents@aec.gov.au>

Subject: Re: E2024/78- Branch President PASA query [SEC=OFFICIAL]

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Dear s22
In addition to my last, the sending of these emails were sent by the recipients intending to be seen as PASA representatives, otherwise they would've used their SAPol emails or other private email addresses.

They were sent to many people.

They are also supporting one candidate on the board over another on the board.

Thank you

s47F

On 24 Jun 2024, at 1:36 PM, s47F :

Dear s22

No they are not official emails. They are created by the member on Gmail and outlook.

But I'd argue that they appear to general members (who they were sent to - and lots of junior members) would reasonably think/consider they are from PASA.

They are board members and known as board members.

Not many members know the official PASA email addresses.

The official email addresses are s47F

s47F

Where could I get a copy of those rules please?

Thank you,

s47F

On 24 Jun 2024, at 12:18 PM, IEB Events <IEBEvents@aec.gov.au> wrote:

Good afternoon, s47F

Thanks for your email. Can you please confirm whether the following emails (as mentioned in your email) are officially allocated emails used by PFA SA branch members:

s47F

Regards

s22 | Senior Project Officer Industrial Elections and
Ballots | Service Design and Foundations Branch Australian Electoral
Commission

s22

-----Original Message-----

From: s47F
Sent: Wednesday, June 19, 2024 3:27 PM
To: IEB Events <IEBEvents@aec.gov.au>
Subject: E2024/78- Branch President PASA query

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Hi AEC,

Some concerning information has come to light during this election and I'm seeking some advice please.

s47F

s47F been made aware of an email being sent by s47F Board members to voters lobbying for s47F and s47F lone.

The email addresses they sent from have been created in Gmail and outlook and are as follows;
s47F This email address appears as though they are acting on behalf of PASA with the email address as such.

To me this seems against the rules of the election. Can you please help me determine what rules we are bound by in relation to elections please.

I understand that they hold a conflict of interest s47F but wanted to get advice from you if there are any legislative requirements.

Thank you,

s47F

s47F

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