

4 May 2022

Post-election report

**The Civil Air Operations Officers'
Association of Australia**
Insufficient Nominations election
E2021/224

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Election(s) Covered in this Report

Organisation: The Civil Air Operations Officers' Association of Australia
Election: Insufficient Nominations
Election Decision No/s: E2021/224

Rules

Rules used for the election:

212V: Incorporates alterations of 10 February 2022 [R2021/211]
(Replaces rulebook dated 30 August 2021 [R2021/88])

Rules difficult to apply/interpret: Nil

Model Rule reference (if any): **N/A**

For more details see the Model Rules on the AEC website: www.aec.gov.au/ieb/

Roll of Voters

Based on an analysis of the register of members the Returning Officer has formed the opinion that:

- There were no concerns in the construction of the Roll of Voters
- There are no concerns in the data provided by the organisation

Other Matters

Returning Officer actions required (Section 193): Yes

Details:

- Rules regarding the timetable of the election were set aside as the AEC held concerns that dates within the rules may impact on the ability for stakeholders to fully participate in the election. A timetable for the conduct of the ballot which varied from the rules was set when the AEC was satisfied that stakeholders would be able to fully participate.
- As there is no rule pertaining to the withdrawal of Nomination, I am applying s193 (1) (b) of the Fair Work (Registered Organisations) Act 2009 to fix a closing time for the withdrawal of nominations.

Signed

Catherine Budrodeen
Returning Officer
Australian Electoral Commission
E: IEBevents@aec.gov.au
P: 02 9375 6366
4 May 2022

Attachments

A. Declaration of Results for Contested Offices

The Civil Air Operations Officers' Association of Australia

DECLARATION OF RESULTS - E2021/224

Contested Offices

Insufficient Nominations Election

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 are:

The Civil Air Operations Officers' Association of Australia

| VOTING MATERIAL ISSUED | |
|--|------------|
| Total number of people on the roll of voters (a) | 948 |
| Number of voters issued with voting material | 948 |
| Total number of voters issued with replacement voting material | 0 |
| Total number of voting material packs issued | 948 |
| VOTING MATERIAL RETURNED | |
| Total number of envelopes returned for scrutiny by closing date of ballot (b) | 217 |
| Number of declaration envelopes rejected at preliminary scrutiny (minus) | 1 |
| Number of ballot papers returned outside declaration envelopes (minus) | 0 |
| COUNT | |
| Total ballot papers admitted to the count | 216 |
| LATE OR UNRETURNED VOTING MATERIAL | |
| Voting material returned as unclaimed mail by closing date of ballot | 27 |
| Voting material packs not returned by voters by closing date of the ballot | 704 |
| Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a) | 23 % |

Vice President Finance (1)

| <u>Candidates</u> | <u>Final Votes</u> |
|-------------------|--------------------|
| MALCOLM, Fred | 144 |
| MAXWELL, Stu | 71 |

| | |
|---|------------|
| Total ballot papers admitted for this office | 215 |
| Formal Ballot papers | 1 |
| Informal Ballot papers | |

I declare the following elected:

- MALCOLM, Fred

Catherine Budrodeen
Returning Officer
Telephone: 02 9375 6366
Email: IEBevents@aec.gov.au
29/04/2022



DECISION

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

The Civil Air Operations Officers' Association of Australia (E2021/224)

MR STEENSON

SYDNEY, 12 JANUARY 2022

Arrangement for conduct of election.

[1] On 8 December 2021 the Civil Air Operations Officers' Association of Australia lodged with the Registered Organisations Commission prescribed information for an election to fill the following office, due to insufficient nominations received in a previous election (E2020/228):

Vice President Finance (1)

[2] I am satisfied that an election for the abovenamed office 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 COMMISSIONER

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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, Tom McRobert, being the President of The Civil Air Operations Officers' Association of Australia of 214 Graham Street, Port Melbourne, in the State of Victoria, make the following statement:

1. I am authorised to sign this statement containing prescribed information for The Civil Air Operations Officers Association 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 Annexure A.
4. The casual vacancy for the position of Vice President Finance has come about due to a lack of nominations at the election E2020/228.
5. No rule alterations are pending that will impact the election.



TOM McROBERT
PRESIDENT

Dated: 8 December 2021

ANNEXURE A

Offices/Positions:

| | |
|---|------------------------|
| A | Vice President Finance |
|---|------------------------|

Reasons for election:

The election for the position marked “A” is required in accordance with the Extraordinary or Casual Vacancies Rule 37.

Elected by:

For the position marked “A”, the electorate for the direct voting system is the entire membership.

Nominations open:

Nominations open in accordance with a timetable provided by the Returning Officer, delegated by the Australian Electoral Commission (AEC). For the position marked “A” refer to Civil Air rule 37(c).

Nominations close:

Nominations close in accordance with a timetable provided by the Returning Officer, delegated by the Australian Electoral Commission (AEC). For the position marked “A” refer to Civil Air rule 37(c).

Cut off date for roll:

In all cases, 7 days prior to the opening date for nominations.