



17 November 2022

David Backhouse  
Secretary  
Australian and International Pilots Association  
Sent via email: david.backhouse@aipa.org.au



**IMMEDIATE ACTION REQUIRED:**

**You must take steps after your recent election E2022/148**

Dear David Backhouse,

An election has recently been completed by the Australian Electoral Commission (**AEC**) for the Australian and International Pilots Association.

This letter explains the next steps you must take and what information you need to lodge with the Registered Organisations Commission (**ROC**).

### **What you must do right now**

- Let your members know about the election report issued by the AEC
- Arrange financial training for officers newly elected to an office with financial management duties. (This includes all members of the committee of management).
- Complete the notification of change and email it to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

This letter explains these steps and the tools available to help you.

### **STEP 1: Notify members**

You must put a notice on your website once you receive your post-election report. It must tell your members they can request a copy of the post-election report from you or the AEC (r. 141). The notice must be on your website for at least 3 months.



**Can I put more information on our website?**

Yes! Being transparent is part of good governance. You can publish the whole report or the declaration of results, as well as your notice and leave them up longer than 3 months. You can always do more than the regulatory minimum.

The ROC will also publish your declaration of results on our [website](#).

### **STEP 2: Financial training**

You may have to arrange financial training for people elected to new roles.

All officers with financial management duties must complete financial training (s 293K). For information on when officers must redo training and hints on when to book training for officers taking up multiple offices [please see our fact sheet](#).

There are face to face and online [financial training packages on the ROC website](#).

You must act on this now, as affected officers **MUST** complete approved financial training OR been granted an [exemption by the ROC within 6 months](#) of beginning to hold office.



### Good governance tip:

Organisations should instruct officer holders about their other obligations. This is especially important for committee of management members.

Our podcast covers the [benefits of officer induction](#). Officers have responsibilities under the rules, the RO Act, and disclosure requirements around conflicts of interest, remuneration and material personal interests. Officers will benefit from our [officer induction kit](#) and our [podcast, such as episode 17 - conflicts of interest](#).

## STEP 3: Notifications of change

A notification of change must be lodged with the ROC within **35 days** of the change occurring.



We have a [template](#) to help you with this, which you can send to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au). An officer must sign the completed notification template.

You must lodge a notification of change if:

- any of your officers have not been re-elected;
- officers have changed offices; or
- you have new officers.

Only notify us of changes that have **already occurred**. If people take up office in the future, you must wait until the change happens before lodging the notification within 35 days of the change.

**Note:** One election may result in many notifications of change.



### Penalties apply

Failing to lodge your notifications of change on time can expose your organisation and its officers to significant penalties.

#### ROC v CEPU

The organisation failed to make a series of notifications of change on time.

The Full Court said 'The record-keeping obligations imposed under the Registered Organisations Act are treated by the legislature as important and serious, and contravention of those obligations are correspondingly serious.'

The organisation was ordered to pay a penalty. More information is available in our [case summary](#).

## Questions?



### **Why do I need to tell you the results of the election when you've already received them?**

The RO Act requires that **you** tell us this information about your officers – it is a legal obligation. The notification of change also contains information that is not in the declaration of results.

### **What if the officer has already done training?**

Check out our [fact sheet](#) for when officers need to redo training, when they can get an exemption and when further training isn't required.

If you have any queries we can be contacted on 1300 341 665 or by email at [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).

Yours sincerely

## Registered Organisations Commission



The ROC has a [Compliance Policy](#) which explains how we respond to issues of non-compliance. The policy is available on our website if you would like further information on the steps the compliance team may take in response to non-lodgement of a financial report.

4 November 2022

# Post-election report

Australian and International Pilots Association  
Scheduled election  
E2022/148

# Contents

Elections Covered in this Report.....	2
Rules.....	2
Other Matters .....	3
Signed.....	3
Attachments.....	4
A. Declaration of results for Uncontested Offices – National.....	5
B. Declaration of Results for Uncontested Offices – National .....	7

## Elections Covered in this Report

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Organisation: Australian and International Pilots Association  
Election: Scheduled  
Election Decision No: E2022/148

## Rules

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Rules used for the election: [127N:  
Incorporates alterations of 25 June 2019] [R2019/36]  
replaces rulebook dated 17 August 2016 [R2016/161]

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/](http://www.aec.gov.au/ieb/)

## Other Matters

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Returning Officer actions required (Section 193): Yes

Details:

- As there is no rule pertaining to the withdrawal of nominations, the Returning Officer will apply subparagraph 193(1)(b)(ii) of the Fair Work (Registered Organisation) Act 2009 to fix a closing time for the withdrawal of nominations and the withdrawal period will close at the time of closing of nominations.
- The Returning Officer will also apply subparagraph 193(1)(b)(i) of the Fair Work (Registered Organisation) Act 2009 to extend the opening of the ballot period to ensure no irregularity occurs due to the impact the coronavirus pandemic has had on postal delivery times

## Signed

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Emma Langridge  
Returning Officer  
Australian Electoral Commission  
E: IEEvents@aec.gov.au  
P: 03 9285 7111  
4 November 2022

## Attachments

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A. Declaration of results for Contested Offices – National

B. Declaration of Results for Uncontested Offices – National

**Australian and International Pilots Association**  
**DECLARATION OF RESULTS - E2022/148**  
**Contested Offices**

**Scheduled 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:

**Committee of Management**

<b>VOTING MATERIAL ISSUED</b>	
Total number of people on the roll of voters (a)	36
Number of voters issued with voting material	36
Total number of voters issued with replacement voting material	1
<b>Total number of voting material packs issued</b>	<b>37</b>
<b>VOTING MATERIAL RETURNED</b>	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	26
Number of declaration envelopes rejected at preliminary scrutiny (minus)	0
Number of ballot papers returned outside declaration envelopes (minus)	0
<b>COUNT</b>	
Total ballot papers admitted to the count	26
<b>LATE OR UNRETURNED VOTING MATERIAL</b>	
Voting material returned as unclaimed mail by closing date of ballot	1
Voting material packs not returned by voters by closing date of the ballot	10
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	72 %



### Vice President (3)

<u>Candidates</u>	<u>Final Votes</u>
HOFMEYER, Mark	24
LIPSON, Jason	18
PAVLOU, John	13
PEATFIELD, Philip	16
SMITH, Benjamin (Ben)	7

<b>Total ballot papers admitted for this office</b>	<b>26</b>
Formal Ballot papers	26
Informal Ballot papers	0

I declare the following elected:

- HOFMEYER, Mark
- PEATFIELD, Philip
- LIPSON, Jason

### Secretary (1)

<u>Candidates</u>	<u>Final Votes</u>
PAVLOU, John	17
WINSLOW, Alexander	9

<b>Total ballot papers admitted for this office</b>	<b>26</b>
Formal Ballot papers	26
Informal Ballot papers	0

I declare the following elected:

- PAVLOU, John

Emma Langridge  
Returning Officer  
Telephone: 03 9285 7111  
Email: IEEvents@aec.gov.au  
02/11/2022

**Australian and International Pilots Association**  
**DECLARATION OF RESULTS - E2022/148**  
**Uncontested Offices**

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**Scheduled 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:

**President (1)**

Candidates

LUCAS Tony

**Vice President ("A" Pilots) (1)**

Candidates

BUSBY Theron

**Vice President (Group Airlines) (1)**

Candidates

GOULD Simon

**Assistant Secretary (1)**

Candidates

WINSLOW Alexander

**Treasurer (1)**

Candidates

HUNTER Glen

As the number of nominations accepted did not exceed the number of positions to be filled, I declare the above candidates elected.

Shehan Liyanage  
Returning Officer  
Telephone: 03 9285 7111  
Email: [iebevents@aec.gov.au](mailto:iebevents@aec.gov.au)  
26/09/2022



## DECISION

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

### **Australian and International Pilots Association** (E2022/148)

MR STEENSON

SYDNEY, 18 JULY 2022

*Arrangement for conduct of election.*

[1] On 5 July 2022 the Australian and International Pilots Association lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices for a new term of office:

President	(1)
Vice President	(3)
Vice President (“A” Pilots)	(1)
Vice President (Group Airlines)	(1)
Secretary	(1)
Assistant Secretary	(1)
Treasurer	(1)

[2] I am satisfied that an election for the abovenamed offices 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. As these offices are elected by and from the Committee of Management, the conduct of this election will need to follow the completion of election E2022/68, an election for the Committee of Management.



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, David Backhouse, being the Secretary of the Australian and International Pilots Association make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Australian and International Pilots Association.
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 the table in **Annexure A**.
4. No rule alterations are pending that will impact the election.
5. This statement **IS** lodged at least 2 months before nominations open for the election in Annexure A.
6. I note that there are currently zero (0) Flight Engineer Members of AIPA as referenced in rule 20 and 21 and therefore no requirement to elect a Vice President (Flight Engineers).



Signed: David Backhouse, AIPA Secretary

Dated: 5 July 2022

**NOTE:** This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).

## Annexure A

- Elections that are required:

<b>Branch</b>	<b>Name of Office</b>	<b>Number required</b>	<b>Voting System</b> <i>Direct voting system; Collegiate electoral system</i>	<b>Reason for Election</b> <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	<b>Electorate</b>
N/A	President	1	Collegiate electoral system	Scheduled	Those Committee of Management who will commence their term or remain members of the Committee of Management meeting in the relevant election year pursuant to rule 39(b)
N/A	Vice President	3	Collegiate electoral system	Scheduled	As above pursuant to rule 39(b)
N/A	Vice President (A Pilot)	1	Collegiate electoral system	Scheduled	As above pursuant to rule 39(b)
N/A	Vice President (Group Airlines)	1	Collegiate electoral system	Scheduled	As above pursuant to rule 39(b)
N/A	Secretary	1	Collegiate electoral system	Scheduled	As above pursuant to rule 39(b)
N/A	Assistant Secretary	1	Collegiate electoral system	Scheduled	As above pursuant to rule 39(b)
N/A	Treasurer	1	Collegiate electoral system	Scheduled	As above pursuant to rule 39(b)

- Important dates:

	<b>Direct Voting System</b>	<b>Collegiate Electoral System</b>
<b>Nominations OPEN</b>	As soon as possible after the result of an election of committee members (rule 39(c))	Dependant on the election authorised by decision 2022/68
<b>Nominations CLOSE</b>	Not less than 21 days after nominations were called (rule 39(f))	As above
<b>Roll of Voters cut off date</b>	As soon as possible after the result of an election of committee members (rule 39(c))	As above