

Australian and International Pilots Association Committee of Management Member Vacancy 2012

DECLARATION OF RESULTS FOR CONTESTED OFFICE

Results of the election for the following office conducted in accordance with the provisions of the Fair Work (Registered Organisations Act 2009 and the rules of the organisation.

E2012/350

Australian and International Pilots Association

Total number of persons on the roll of voters	2302
Ballot papers issued	2301
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	2301
Ballot papers / envelopes returned for scrutiny	672
Less ballot papers / envelopes rejected at preliminary scrutiny	9
Adjusting Balance	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	663
Percentage of ballot papers returned to number issued	29%
Ballot papers returned as unclaimed mail	15
Ballot papers not returned	1614

Committee of Management Member

<u>Candidates</u>	<u>Votes</u>
FITZSIMONS, Richard Anthony	218
MACDONALD, John	283
MARSHALL, Andrew	158
Exhausted Votes	0
Loss/Gain by Fraction	0
Total votes	659
Formal ballot papers	659
Informal ballot papers	4

I declare John MacDonald elected.

Rhys Richards
Returning Officer
Australian Electoral Commission
7 November 2012



Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Client: Australian and International Pilots Association
Contact details: Secretary
Australian and International Pilots Association
Locked Bag 747
BOTANY NSW 1455
Email: office@aipa.org.au
Tel: 02 8307 7777

AIR contact officer: Ingrid Fraser
Email: ingrid.fraser@fwa.gov.au
Tel: 03 8661 7603

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2012/350

RULES

Rules used for elections Rule ID: [127 N Incorporates alterations of 14/01/2009]
[R2008/461]
Replaces rulebook dated 02/01/2008

Rules difficult to apply/interpret: N/A

ROLL OF VOTERS - Officers

<i>Total number of voters on the roll</i>	2302	
<i>Number of apparent workplace addresses</i>	0	0 %
<i>Number of non-current addresses</i>	0	0 %

Other Matters Nil

ALLEGATIONS OF IRREGULARITIES RECEIVED

Details of written allegations of irregularities, and action taken by AEC:	None
Other irregularities identified, and action taken:	None

ATTACHMENTS

- A:** Declaration of Contested Office for Committee of Management
- B:**

Rhys Richards
Returning Officer
15 November 2012



FAIR WORK
AUSTRALIA

DECISION

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

Australian and International Pilots Association
(E2012/350)

AILS A CARRUTHERS

MELBOURNE, 27 AUGUST 2012

Arrangement for conduct of election.

[1] On 15 August 2012 the Australian and International Pilots Association lodged with Fair Work Australia the prescribed information in relation to an election to fill a casual vacancy for the remainder of the term of office in the following office:

Committee of Management Member

[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 GENERAL MANAGER
FAIR WORK AUSTRALIA

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15 August 2012

Larry Powell
Fair Work Australia
11 Exhibition Street
MELBOURNE VIC 3000
By email: Larry.Powell@fwa.gov.au

Dear Mr Powell,

Re: Prescribed Casual Vacancy information for an AIPA Committee of Management election in accordance with Regulation 138 (1) of the Fair Work (Registered Organisations) Act 2009.

We refer to the above matter and our telephone conversation of today's date.

We request that Fair Work Australia take steps to arrange for a casual vacancy to be filled by the conduct of an election on urgent basis.

We submit that this request should be dealt with on an urgent basis in order to permit the person that successfully fills the casual vacancy position to be able to participate in the 2012 Elections for the AIPA office bearer positions.

Currently, the proposed (but not confirmed) draft timetable issued by the AEC for the 2012 AIPA office bearer positions (referred to as "stage 2") is as follows:

Nominations for Office Bearers Opens	Wednesday 19 September 2012
Nominations for Office Bearers Closes	Wednesday 10 October 2012 at 12 Noon
Ballot for Office Bearers Opens (electors are 17 new COM members plus those that are mid-term.	Friday 19 October 2012
Ballot for Office Bearers Closes & AEC advises AIPA of new Office Bearers/Elected Executive	Friday 9 November 2012 at 12 Noon
AGM	10 Monday 12 November 2012
NB The AEC has advised that the timetable for stage 2 will not be confirmed until the declaration of stage 1 and the election for Stage 2 should be declaration after the count on Friday 9 November 2012.	

AIPA will attempt to negotiate with the AEC to put the election dates for the office bearer positions forward. Putting aside whether or not that can be achieved, AIPA proposes the following timetable for the conduct of the casual vacancy:

Nominations for 1 x COM Casual Vacancy Opens	17 August 2012
Nominations for 1 x COM Casual Vacancy Closes	10 September 2012
COM Elects 1 x COM Casual Vacancy	11 September 2012 (Per AIPA rule 38 (u) (ii) C.)

As you can see, if this timetable was achieved, the elected casual vacancy position holder would be entitled to vote and stand for the office bearer position as nominations for those positions are provisionally due to be called for on Wednesday 19 September 2012

PRESCRIBED INFORMATION IN ACCORDANCE WITH SUBSECTION 189 (1) OF THE ACT.

AIPA's answers are in italics below:

- (a) the name of each office or position for which an election is required;
Committee of Management Casual Vacancy.
- (b) the reason for the election is that:
 - (ii) *a casual vacancy in the office or position has occurred (or will occur imminently); arising from the resignation of AIPA COM member whose term commenced on 13 December 2010 and who resigned from the position on 13 August 2012.*
- (c) if more than one of the offices or positions for which an election is required has the same name, and the number of offices or positions can, under the rules of the relevant organisation or branch, be determined before the prescribed day -- the number of those offices or positions;
One Committee of Management position.
- (d) if the electorate comprises only members of a branch, section or other division of an organisation -- the name of the branch, section or division;
Not Applicable (AIPA has no branches, sections or divisions)
- (e) the date and time of the beginning and end of the period in which nominations of candidates will be called for or may be made under the rules of the organisation or branch in relation to the election;
Nominations for 1 x COM Casual Vacancy Opens 12:00 AEST 17 August 2012
Nominations for 1 x COM Casual Vacancy Closes 12:00 AEST 10 September 2012
- (f) the day provided for in the rules of the organisation as the day on which the roll of voters is to be closed;
12:00 AEST 17 August 2012
- (g) the kind of voting system to be used in the conduct of the election is:
 - (ii) *a collegiate electoral system comprised of existing COM members, not including candidates for this casual vacancy election.*

This information is lodged under subsection 189 (1) of the Act.

If you require any additional information, please contact Mr Kristian Bolwell on (02)8307 7777

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S. Anderson', followed by a period.

Capt Steve Anderson
Secretary

Ph: (02) 8307 7777

Fax: (02) 8307 7799

Email: office@aipa.org.au