

MOUTEVELIS, Michael

From: Ishtiaq Ahmed [Ishtiaq.Ahmed@aec.gov.au]
Sent: Tuesday, 18 November 2014 12:55 PM
To: office@aipa.org.au; Orgs; VALE, David; Industrial Elections
Subject: Post- Election report for Australian and International Pilots Association - E2014/181 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Attention: David Vale
Regulatory Compliance Branch, NSW
Fair Work Commission

Dear Mr Wirth,

Re: Post-Election report for Australian and International Pilots Association - E2014/181

I refer to the above election for your organisation.

Section 197(1) of the Fair Work (Registered Organisations) Act 2009 ("the Act") requires the AEC to provide a written report on the conduct of the election to Fair Work Australia and to the organisation or branch for whom the election was conducted. A copy of the report in relation to this election is attached. Section 198 of the Act requires that if an organisation or branch is given a post election report under Section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take.

If the attached Report identifies a rule that was difficult to interpret or apply, you should forward your response to the AEC by email to 'industrial.elections@aec.gov.au' within thirty days of the date of the report.

Section 198 and the regulations also require an organisation to make the post election report and the organisation's response to the report (if applicable) available to members.

Further, Regulation 141(4) of the Fair Work (Registered Organisations) Regulations requires an organisation or branch to publish a notice on its web site advising members that a copy of the post election report is available upon request. If a website is not available, publishing a notice in a journal or newsletter would be considered appropriate.

Please contact me if you wish to clarify any aspect of this report.

Thanks

Kind Regards

Ishtiaq Ahmed | Returning Officer

Industrial & Commercial Elections | NSW State Office
Australian Electoral Commission
T: (02) 9375 6331 | F: (02) 9375 6336



post election
report.pdf



Declaration.pdf

For-Official-Use-Only

DISCLAIMER:

If you have received this transmission in error please notify us immediately by return email and delete all copies. If this email or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the email or attachments.



Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Client: Australian and International Pilots Association

Contact details: First Officer James Wirth
Secretary
Australian and International
Pilots Association
Suite 6.01, Level 6
247 Coward Street
MASCOT, NSW 2020

Email: office@aipa.org.au
Tel: 02 83077777

FWC contact officer: David Vale

Email: david.vale@fwc.gov.au
Tel: 02 83746509

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2014/181

RULES

Rules used for elections Rule ID: [127N: Incorporates alterations of 1/03/2014]
[D2013/134]
replaces rulebook dated 28/08/2013

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

ROLL OF VOTERS N/A

ALLEGATIONS OF IRREGULARITIES RECEIVED

Details of written allegations of irregularities, and action taken by AEC: N/A

Other irregularities identified, and action taken: N/A

ATTACHMENTS

A: Declaration of results for contested & uncontested offices

Ishtiaq Ahmed
Returning Officer
18/11/2014

Australian and International Pilots Association Scheduled Election 2014- Officers

Declaration of Results for Contested and Uncontested Offices

E2014/181

Below are 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.

Officers

Total number of names on the roll of voters	39
Ballot papers issued	39
Replacement ballot papers issued	2
Total Ballot Papers Issued	41
Ballot papers / envelopes returned for scrutiny	35
Less ballot papers / envelopes rejected at preliminary scrutiny	2
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	33
Percentage of ballot papers returned to number issued	85
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	6

Secretary

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
HEWETT, Christopher	17	17
WIRTH, James	16	16
Exhausted Votes		0
Loss/Gain by Fraction		0
Total votes	33	33
Formal ballot papers	33	33
Informal ballot papers	0	0

I declare Christopher Hewett elected.

President

Candidates

SAFE, Nathan Michael

I declare Nathan Michael Safe elected.

Vice President (3)

Candidates

BEAVAN, Alric Jason
HODSON, Brad
LONEY, Shane

I declare Alric Jason Beavan, Brad Hodson and Shane Loney elected.

Vice President ("A" Pilots)

Candidates

BUSBY, Theron

I declare Theron Busby elected.

Assistant Secretary

Candidates

LIPSON, Jason

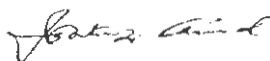
I declare Jason Lipson elected.

Treasurer

Candidates

SUSZ, Adam

I declare Adam Susz elected.



Ishtiaq Ahmed
Returning Officer
Australian Electoral Commission

30/10/2014





23 July 2014

First Officer James Wirth
Secretary
Australian and International Pilots Association
Locked Bag 5747
Botany NSW 1455

Also by facsimile: (02) 8307 7799

Dear First Officer Wirth

Election - Australian and International Pilots Association (E2014/181)

I refer to the prescribed information dated 15 July 2014 which was lodged with the Fair Work Commission on 15 July 2014 for an election for the Australian and International Pilots Association.

A copy of the decision in relation to the above matter is enclosed.

The Fair Work Commission is making arrangements, under subsections 189(3) of the *Fair Work (Registered Organisations) Act 2009*, with the Electoral Commissioner for the conduct of the subject election by a member of staff of the Australian Electoral Commission, who will contact you in the near future about the election.

Yours sincerely

David Vale
Principal Adviser
Regulatory Compliance Branch, NSW
Fair Work Commission



DECISION

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

Australian and International Pilots Association (E2014/181)

MR ENRIGHT

MELBOURNE, 23 JULY 2014

Arrangement for conduct of election.

[1] On 15 July 2014 the Australian and International Pilots Association lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

President	(1)
Vice President	(3)
Vice President ('A' Pilots)	(1)
Secretary	(1)
Assistant Secretary	(1)
Treasurer	(1)

[2] On 23 July 2014 the abovenamed organisation lodged a written request for an extension of time for lodgement in accordance with s.189(2) of the Act, and apologised for not lodging the prescribed information on time.

[3] I allow for the extension of time up until 15 July 2014 to lodge the prescribed information.

[4] 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.



DELEGATE OF THE GENERAL MANAGER

Printed by authority of the Commonwealth Government Printer

<Price code A, PR553181>

VALE, David

From: VALE, David
Sent: Wednesday, 23 July 2014 3:40 PM
To: 'Industrial Elections'
Subject: E2014/181
Attachments: E2014_181 Signed Decision_23072014.doc

Dear AEC

Please find a copy of the signed Decision for the Australian and International Pilots Association in election number E2014/181.

Yours sincerely

DAVID VALE
Principal Adviser,
Regulatory Compliance Branch, NSW

Fair Work Commission
Tel: 02 8374 6509
Fax: 02 9380 6990
david.vale@fwc.gov.au

Please be aware that my email address has changed to david.vale@fwc.gov.au effective 1 January 2013. Please update your records accordingly.

Level 10, Terrace Tower
80 William Street
East Sydney NSW 2011

www.fwc.gov.au

23 July 2014



FAIR WORK
COMMISSION

Electoral Commissioner Through
Australian Electoral Officer (industrial.elections@aec.gov.au)

Under subsection 189 of the Fair Work (Registered Organisations) Act 2009, please arrange for the conduct of the following election by the Australian Electoral Commission:

E No 2014/181

RE: AUSTRALIAN AND INTERNATIONAL PILOTS ASSOCIATION

Offices: See Decision

Relevant Information: Scheduled election; direct voting system.

Contact: Mr James Wirth
Secretary

Phone: (02) 8307 7777

A copy of the decision is enclosed.

I further request that you arrange for this office to be notified that arrangements for the conduct of this election have been made, by email transmission at orgs@fwc.gov.au.

Thank you

David Vale
Principal Adviser
Regulatory Compliance Branch, NSW
Fair Work Commission



Advancing the interests of our members and the profession

23 July 2014

Mr Michael Moutevelis
Assistant Adviser
Regulatory Compliance Branch, NSW
Fair Work Commission

By email: orgs@fwc.gov.au

Dear Michael,

Re: Arrangements for the conduct of an Election (E2014/181)

I would like to formally request an extension of time to submit the application to conduct an election for the AIPA Committee of Management 'Office Bearers' for the 2014-2016 term of office.

Due to an oversight, the application was not submitted in accordance with Regulation 138(3) of the Fair Work (Registered Organisations) Act 2009.

Please accept my apologies for failing to submit the request in the required timeframe.

With regards to the Office of Vice President (Flight Engineers), please be advised that an election for this position is not required as AIPA does not have any flight engineers as members.

If you require further information, please contact Rachel Chapman-Oliver;
rachel.chapmanoliver@aipa.org.au.

Yours sincerely,

**First Officer James Wirth
Secretary**

Ph: (02) 8307 7777
Fax: (02) 8307 7799
Email: office@aipa.org.au

Australian & International Pilots Association ABN 30 00 791 933

Suite 6.01, Level 6
247 Coward Street
Mascot NSW 2020

Tel: +61 2 8307 7777
Fax: +61 2 8307 7799
office@aipa.org.au
www.aipa.org.au

Locked Bag 5747
Botany NSW 1455





22 July 2014

First Officer James Wirth
Secretary
Australian and International Pilots Association
Locked Bag 5747
Botany NSW 1455

Attention: Rachel Chapman-Oliver

Also by facsimile: (02) 8307 7799

Dear First Officer Wirth

Arrangements for the conduct of an Election (E2014/181)

I refer to the prescribed information dated 15 July 2014 which was lodged with the Fair Work Commission (**FWC**) on 15 July 2014 in relation to the conduct of a scheduled election for offices of the Australian and International Pilots Association (**AIPA**).

Section 189(2) of the *Fair Work (Registered Organisations) Act 2009* states that the prescribed information must be lodged before the prescribed day, which under regulation 138(3) of the regulations is two months before the first day when a person may become a candidate. It appears that the prescribed day is 11 July 2014, which is before the lodgement of the prescribed information. Accordingly, the Delegate of the General Manager will require a written request for an extension of time for lodging the prescribed information.

Furthermore, rule 21 of AIPA's rulebook indicates that there should be an election for the office of Vice-President (Flight Engineers), which has not been included in the prescribed information. Accordingly, could you provide a statement as to why the prescribed information for the office of Vice-President (Flight Engineers) has been omitted and/or submit amended prescribed information which includes the abovementioned office.

Once receipt of the above information has been lodged, an election decision should be promptly issued.

Yours sincerely

Michael Moutevelis
Assistant Adviser
Regulatory Compliance Branch, NSW
Fair Work Commission



Copy of Prescribed Information

Title of Matter: Application/Notification by Australian and International Pilots Association
Section: s.189(1) RO Act - Notification of elections for office
Subject:
Matter Number(s): E2014/181

Attn: Electoral Officer

A copy of the Prescribed Information in relation to the above matter is attached for your information.

The election decision will be forwarded to your office in due course.

Inquiries:

Any inquiries relating to this are to be directed to: orgs@fwc.gov.au.

16 JULY 2014



Advancing the interests of our members and the profession

Australian & International Pilots Association ABN 81066 191331

Suite 6 01, Level 6
247 Coward Street
Mascot NSW 2020

Tel: +61 2 8307 7777
Fax: +61 2 8307 7799
office@aipa.org.au
www.aipa.org.au

Locked Bag 5747
Botany NSW 1455

15 July 2014

General Manager
Fair Work Commission
11 Exhibition Street
MELBOURNE VIC 3000



By email: general.manager@fwc.gov.au

Dear Sir/Madam,

Re: Arrangements for the conduct of an election in accordance with section 189 of the Fair Work (Registered Organisations) Act 2009

Pursuant to Section 189(1) of the *Fair Work (Registered Organisations) Act 2009* ("Act") and Regulation 138 of the *Fair Work (Registered Organisations) Regulations 2009*, I hereby lodge the following prescribed information concerning the 2014 - 2016 Committee of Management 'Office Bearer' elections for the Australian and International Pilots Association (**AIPA**).

Regulation 138(1)

(a) The name of each office in respect of which an election is required:

- 1 President
- 3 Vice Presidents
- 1 Vice President ('A' Pilots)
- 1 Secretary
- 1 Assistant Secretary
- 1 Treasurer

(b) The reason for the election:

With respect to the Offices nominated above, their term of office will expire pursuant to Rule 40(b) of AIPA's Rules on 6 November 2014.

(c) The number of offices

As set out in (a) above

(d) The electorate of each office

The electorate for the Office Bearer positions of President, Vice Presidents (3), Vice President ('A' Pilots), Secretary, Assistant Secretary, and Treasurer is the Committee of Management only.

(e) The date and time of the commencement and expiration of the nomination period as set out in the rules of the organisation

Elections for office bearers will occur two yearly (Rule 39(a)). As this office bearer election does not coincide with the three yearly election of the Committee of Management, the timetable below is drafted to ensure compliance with rules 39 (f), 39 (l) and 40 (c). With respect to the elections of the Office Bearers, the nominations will open on Thursday, 11 September 2014 and will close on Thursday, 2 October 2014.

The ballot, if required will open on Tuesday, 7 October 2014 and close on Tuesday, 28 October 2014 at 1200 (Rule 39(l)).

(f) The day on which the roll of voters is to be closed

As this office bearer election does not coincide with the three yearly election of the Committee of Management, the roll of voters shall close on 21 August 2014.

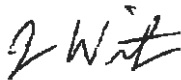
(g) The voting system to be employed in the conduct of the election

The voting system for Office Bearer positions will be a collegiate voting system. Elections are by secret postal ballot.

We look forward to receiving the Registrar's decision that an election for the above named offices is required to be held under AIPA's Rules and advice that arrangements are being made for the conduct of the election by the Australian Electoral Commission.

If you require further information or wish to discuss the matter, please contact Rachel Chapman-Oliver; rachel.chapmanoliver@aipa.org.au.

Yours sincerely,



**First Officer James Wirth
Secretary**

Ph: (02) 8307 7777
Fax: (02) 8307 7799
Email: office@alpa.org.au