Mr Lawrie Cox Manager - Industrial Relations Australian Federation of Air Pilots Level 6, 132-136 Albert Road SOUTH MELBOURNE VIC 3205

Post Election Report For: Australian Federation of Air Pilots Election E No 2009/10038

I refer to the above election for your organisation.

Section 197(1) of Schedule 1 of the Workplace Relations Act 1996 requires the AEC to provide a written report on the conduct of the election to the Industrial Registrar 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 Schedule 1 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.

Section198 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 Workplace Relations (RAO) 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.

Tony King Returning Officer

Workplace Relations Act 1996 – Schedule 1

POST ELECTION REPORT

Australian Federation of Air Pilots

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s:

E2009/10038

RULES

| Rules used for the election: | [282V: Incorporates alterations of 25/07/2008 (D2008/110)] (replaces rulebook dated 04/06/2007) |
|-------------------------------------|--|
| Rules difficult to apply/interpret: | None |
| Model Rule reference (if any): | N/A |

ROLL OF VOTERS

| Total number of voters on the Roll: | Did not go to ballot |
|--|----------------------|
| Number of apparent workplace addresses: | Nil |
| Number of non-current addresses: | Nil |
| Other matters pertaining to the roll of voters: | Nil |
| IRREGULARITIES | |
| Details of written allegations of irregularities, and action taken by AEC: | Nil |
| Other irregularities identified, and action taken: | Nil |

ATTACHMENTS

Declaration of Results Stages 1 and 2

Tony King Returning Officer AEC Melbourne 13 January 2010

AUSTRALIAN FEDERATION OF AIR PILOTS Branch Committee/Council Members

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2009/10038

CIVIL AVIATION SAFETY AUTHORITY COUNCIL

Council Committee Member (4)

No nominations were received

NEW SOUTH WALES BRANCH

Branch Committee Member (13)

Candidates

BURKE, Michael DELAROZA, Dale HARGET, David PRESNEILL, Gary Peter TERRY, Cam No further nominations were accepted

NORTHERN TERRITORY BRANCH

Branch Committee Member (10)

Candidates

BUTLER, Garry MEAKINS, Gregory John MOCKLER, John Joseph No further nominations were accepted

QUEENSLAND BRANCH

Branch Committee Member (13)

Candidates

ATKINSON, Rohan BLAKER, Jarrod COUSINS, Darren No further nominations were accepted

SOUTH AUSTRALIAN BRANCH

Branch Committee Member (3)

Candidate

NOWAK, Leonard No further nominations were accepted

VICTORIAN BRANCH

Branch Committee Member (13)

No nominations were received

WESTERN AUSTRALIAN BRANCH

Branch Committee Member (10)

Candidates

CHARLESWORTH, Mike HODGES, Jeffrey WILLIAMS, Glenn No further nominations were accepted

JETSTAR COUNCIL

Council Committee Member (8)

Candidate

BOLLEN, Benjamin No further nominations were accepted

VIRGIN BLUE PILOT COUNCIL

Council Committee Member

<u>Candidate</u> HERRMANN, Hayden

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

Tony King Returning Officer 11 November 2009

AUSTRALIAN FEDERATION OF AIR PILOTS BRANCH/COUNCIL OFFICE BEARERS – E2009/10038

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

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.

CIVIL AVIATION SAFETY AUTHORITY COUNCIL

Council Chairman

<u>Candidate</u> SMIBERT, Peter Julian

Council Vice-Chairman

No nomination was received

Council Secretary/Treasurer

No nomination was received

NEW SOUTH WALES BRANCH

Branch Chairman

<u>Candidate</u> HARGET, David Patrick

Branch Vice-Chairman

Candidate BURKE, Michael

Branch Secretary/Treasurer

<u>Candidate</u> DELAROZA, Dale

Convention Representative (2)

Candidates

ANDERSON, Robin DELAROZA, Dale

NORTHERN TERRITORY BRANCH

Branch Chairman

Candidate BUTLER, Garry

Branch Vice-Chairman

No nomination was received

Branch Secretary/Treasurer

No nomination was received

QUEENSLAND BRANCH

Branch Chairman

<u>Candidate</u> BROWN, George

Branch Vice-Chairman

<u>Candidate</u> GRADY, John

Branch Secretary/Treasurer

No nomination was received

Convention Representative (2)

Candidates

COUSINS, Darren THOMPSON, Russell

SOUTH AUSTRALIAN BRANCH

Branch Chairman

Candidate HIGGINS, Richard

Branch Vice-Chairman

<u>Candidate</u> NEMETH, Thomas

Branch Secretary/Treasurer

No nomination was received

VICTORIAN BRANCH

Branch Chairman

No nomination was received

Branch Vice-Chairman

No nomination was received

Branch Secretary/Treasurer

No nomination was received

Convention Representative

No nomination was received

WESTERN AUSTRALIAN BRANCH

Branch Chairman

Candidate HALLETT, Barry

Branch Vice-Chairman

Candidate CHARLESWORTH, Mike

Branch Secretary/Treasurer

No nomination was received

Convention Representative

<u>Candidate</u> WILLIAMS, Glenn

JETSTAR COUNCIL

Council Chairman

<u>Candidate</u> LEWIS, Lester

Council Vice-Chairman

No nomination was received

Council Secretary/Treasurer

No nomination was received

VIRGIN BLUE PILOT COUNCIL

Council Chairman

<u>Candidate</u> ABSOLON, John

Council Vice-Chairman

<u>Candidate</u> WILSON, Brad

Council Secretary/Treasurer

<u>Candidate</u> BOOTH, David

Convention Representative (2)

Candidates

JERICHO, Wayne NEWMAN, Peter G.

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

Tony King Returning Officer 12 January 2010



Fair Work

Australia

DECISION

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

Australian Federation of Air Pilots (E2009/10038)

T. NASSIOS

MELBOURNE, 8 SEPTEMBER 2009

Arrangement for conduct of election.

[1] On 7 August and 8 September 2009 the Australian Federation of Air Pilots lodged in Fair Work Australia prescribed information in relation to an election for the following offices:

Victorian Branch

Branch Committee Members (13)

Collegiate

Branch Chairman

Branch Vice-Chairman

Branch Secretary/Treasurer

Convention Representative (1)

New South Wales Branch

Branch Committee Members (13)

<u>Collegiate</u>

Branch Chairman

Branch Vice-Chairman

Branch Secretary/Treasurer

Convention Representative (2)

Queensland Branch

Branch Committee Members (13)

<u>Collegiate</u>

Branch Chairman

Branch Vice-Chairman

Branch Secretary/Treasurer

Convention Representatives (2)

Western Australian Branch

Branch Committee Members (10) <u>Collegiate</u> Branch Chairman Branch Vice-Chairman Branch Secretary/Treasurer Convention Representative (1)

South Australian Branch

Branch Committee Members (3) <u>Collegiate</u> Branch Chairman Branch Vice-Chairman Branch Secretary/Treasurer

Northern Territory Branch

Branch Committee Members (10) <u>Collegiate</u> Branch Chairman Branch Vice-Chairman Branch Secretary/Treasurer

Civil Aviation Safety Authority Council

Council Committee Members (4)

Collegiate

Council Chairman

Council Vice-Chairman

Council Secretary/Treasurer

Jetstar Council

Council Committee Members (8)

Collegiate

Council Chairman

Council Vice-Chairman

Council Secretary/Treasurer

Virgin Blue Pilot Council

Council Committee Members (1)

Collegiate

Council Chairman

Council Vice-Chairman

Council Secretary/Treasurer

Convention Representatives (2)

[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.



Delegate of the General Manager Fair Work Australia

Printed by authority of the Commonwealth Government Printer

<Price code A, PR989106 >

AUSTRALIAN FEDERATION OF AIR PILOTS



MEMBER OF THE INTERNATIONAL FEDERATION OF AIR LINE PILOTS' ASSOCIATION

President: Richard Higgins Executive Director: Terry O'Connell

7 August 2009

General Manager Fair Work Australia GPO Box 1994 MELBOURNE VIC 3001

Dear General Manager,

Australian Federation of Air Pilots– Branch/Council Committee and Branch/Council Chairman, Vice Chairman, Secretary/Treasurer and Convention Representative Elections

The attached information is lodged in accordance with subsection 189(1) of Schedule 1 of the *Fair Work (Registered Organisations) Act 2009* (the Act).

The information includes:

- The prescribed information in respect of the <u>Branch/Council Committee Election</u>, signed by Capt Bryan Murray, President of the AFAP; and
- Details of continuing Branch Members and the subsequent number of required nominations, in accordance with Rule 4 of the AFAP Rules.

You should also note that under the AFAP Rules the Branch/Council members elect a Chairman, Vice Chairman, Secretary/Treasurer and in some cases Convention Representative(s) after the result of the Committee member election is known. Rule 5.8 states:

"The abovementioned officers shall be elected by and from the members of the Branch/Council Committee as soon as possible after the declaration of the ballot of Committee members..."

With regard to Rule 5.8(a)(iv), the number of financial members in each Branch/Council is as follows:

| Victoria/Tasmania | 282 | Western Australia | 252 |
|---------------------|-----|--------------------|-----|
| New South Wales | 402 | Northern Territory | 110 |
| Queensland | 458 | South Australia | 106 |
| CASA Council | 29 | Jetstar Council | 118 |
| Virgin Blue Council | 587 | | |

Level 6, 132-136 Albert Road, South Melbourne, Victoria 3205 Tel: (03) 9699 4200 Fax: (03) 9699 8199 Email: admin@afap.org.au Please contact me on (03) 9928 5737 if you have any questions or require any additional information.

Yours faithfully,

Terry Donnell

Terry O'Connell Executive Director

PRESCRIBED INFORMATION IN RESPECT OF BRANCH/COUNCIL ELECTION SUBSECTION 189(1) OF THE RAO SCHEDULE

I am an officer of the Australian Federation of Air Pilots and am authorised to sign this statement that is lodged in accordance with 189(1) of Schedule 1 of the *Fair Work* (*Registered Organisations*) Act 2009 (the Act).

1. The offices in respect of which the elections are required are:

Victorian Branch

Branch Committee Members

<u>Collegiate</u> Branch Chairman Branch Vice-Chairman Branch Secretary/Treasurer Convention Representative

(1)

New South Wales Branch

Branch Committee Members

<u>Collegiate</u> Branch Chairman Branch Vice-Chairman Branch Secretary/Treasurer Convention Representative (2)

Queensland Branch

Branch Committee Members

<u>Collegiate</u>

Branch Chairman Branch Vice-Chairman Branch Secretary/Treasurer Convention Representative (2)

Western Australian Branch

Branch Committee Members

Collegiate Branch Chairman Branch Vice-Chairman Branch Secretary/Treasurer Convention Representative (1)

South Australian Branch

Branch Committee Members

<u>Collegiate</u> Branch Chairman Branch Vice-Chairman Branch Secretary/Treasurer

Northern Territory Branch

Branch Committee Members

<u>Collegiate</u> Branch Chairman Branch Vice-Chairman Branch Secretary/Treasurer

Civil Aviation Safety Authority Council

Branch Committee Members

<u>Collegiate</u> Branch Chairman Branch Vice-Chairman Branch Secretary/Treasurer

Jetstar Council

Branch Committee Members

<u>Collegiate</u> Branch Chairman Branch Vice-Chairman Branch Secretary/Treasurer

Virgin Blue Pilot Council

Branch Committee Members

<u>Collegiate</u> Branch Chairman Branch Vice-Chairman Branch Secretary/Treasurer Convention Representative (2)

2. The reasons for which the elections are required are:

To fill vacancies arising out of the expiration of the two year term for Branch Committee members and to fill any casual vacancies required.

Then:

To fill Office Bearer positions on each State Branch and Council Committee of the AFAP as per Rule 5.8 of the AFAP Rules.

3. The electorate/s for the election are:

Victoria, New South Wales, Queensland, Western Australia, South Australia, Northern Territory, the Civil Aviation Safety Authority, Jetstar and Virgin Blue.

Then:

Members of the Victoria Branch Committee, New South Wales Branch Committee, Queensland Branch Committee, Western Australia Branch Committee, South Australia Branch Committee, Northern Territory Branch Committee, the Civil Aviation Safety Authority Council Committee, Jetstar Council Committee and Virgin Blue Pilot Council Committee.

4. The dates and times that nominations open and close are:

Please call nominations on or about 15 August 2009 (Rule 12.3(a)). Nominations shall remain open for 35 days.

5. The voting system to be used in the conduct of the elections is:

Direct voting system of all financial members of the relevant Branches/Council.

Then:

Direct voting system of all financial members of the relevant Branches/Council Committee.

40h many.

President, Bryan Murray

Date: 7 August 2009

2009 ELECTION - AFAP BRANCH/COUNCIL COMMITTEE MEMBERS

Victorian Branch

Number of Branch Committee members to be elected under Rule 4.1(g) as the Victorian Branch Comprises 282 financial members:

(14)

<u>Continuing Branch Members</u>: WELCH, Robert

Nominations Required: Thirteen (13)

New South Wales

Number of Branch Committee members to be elected under Rule 4.1(g) as the New South Wales Branch comprises 402 financial members:

(16)

<u>Continuing Branch Members</u>: ELGAR, Ronald PURVIS, Mark THOMPSON, Dennis

Nominations Required: Thirteen (13)

Queensland Branch

Number of Branch Committee members to be elected under Rule 4.1(g) as the Queensland Branch comprises 458 financial members:

(17)

<u>Continuing Branch Members:</u> BROWN, George GRADY, John POLE, Louise HARRISON, David

Nominations Required: Thirteen (13)

South Australia Branch

Number of Branch Committee members to be elected under Rule 4.1 (g) as the South Australia Branch comprises 106 financial members:

(10)

Continuing Branch Members: HIGGINS, Richard BEVERIDGE, Stuart NEMETH, Thomas BAUM, Lloyd HIPWELL, Julian RUSSEL, Thomas MAKIN, Paul

Nominations Required: Three (3)

Western Australia Branch

Number of Branch Committee members to be elected under Rule 4.1(g) as the Western Australian Branch comprises 252 financial members:

(13)

<u>Continuing Branch Members:</u> HALLETT, Barry NORMAN, Anthony RODDAN,Neville

Nominations Required: Ten (10)

Northern Territory Branch

Number of Branch Committee members to be elected under Rule 4.1(g) as the Northern Territory Branch comprises 110 financial members:

(10)

Continuing Branch Members: NIL

Nominations Required: Ten (10)

Civil Aviation Safety Authority Council

Number of Council Committee members to be elected under Rule 4.1(h) when the Council Comprises 29 members:

(10)

Continuing Council Members: WORTHINGTON, Greg

Nominations Required: Nine (9)

Jetstar Council Committee

Number of Council Committee members to be elected under Rule 4.1(h) when the Council comprises 118 members:

(10)

Continuing Council Members: LEWIS, Lester GARDINER, Peter

Nominations Required: Eight (8)

Virgin Blue Pilot Council Committee

Number of Council Committee members to be elected under Rule 4.1(h) when the Council comprises 587 members:

(20)

Continuing Council Members:

NEWMAN, Peter JERICHO, Wayne MACDONNELL, Anthony EDWARDS, Scott LOELIGER, Brett DORGE, Gerard THOMME, Christopher WILSON, Bradley LUNN, Steven BOOTH, David SMITH, Darren ABSOLON, John SINCLAIR, Justin OWLER, Brian PAIN, Christopher KASSULKE, Justin HIGHETT, Timothy BROWNSCOMBE, Simon HOLMES, Peter

Nominations Required: One (1) From: Joanne McCarthy [joanne@afap.org.au] Sent: Tuesday, 8 September 2009 10:50 AM To: SCHULTZ, Andrew Subject: FW: Election for AFAP Branches & Councils Hi Andrew

Apologies for the error – I can confirm that the CASA Council requires only 4 Council Committee Member positions to be filled.

The Overseas Pilot Council Representative position was not filled at the last election, nor has it been filled in at least the past five years. A rule change will be proposed at this year's Convention to abolish the Overseas Pilot Council – therefore we have not requested a call for nominations for the Representative position this year.

Regards

Jo

Joanne McCarthy Industrial Officer

Australian Federation of Air Pilots Level 6, 132-136 Albert Road SOUTH MELBOURNE VIC 3205 T (03) 9928 5737 I M 0416 044 286 I F (03) 9699 8199 www.afap.org.au

From: SCHULTZ, Andrew [mailto:Andrew.Schultz@fwa.gov.au]
Sent: Monday, 7 September 2009 4:52 PM
To: Joanne McCarthy
Subject: Re: Election for AFAP Branches & Councils

Dear Joanne,

Re: Election for AFAP Branches & Councils - E2009/10038

A decision for the above election should be issued shortly

There are two issues I seek further information on:

CASA Council

• The AFAP has requested 9 CASA Council Committee Members to be elected (a purported entitlement of 10 minus 1 current Council Committee Member)

However, it appears that:

- CASA only has 29 members
- Rule 4.1(h) provides that if membership is less than 100 then the entitlement is 1 per 10 (rounded to the nearest 10) this would suggest CASA is entitled to 3
- Then Rule 4.1(h)(iv) further states that each Council shall have a minimum of 5 hence CASA must be entitled to 5
- Thus if CASA already has 1 Council Committee Members then this election should elect 4 (i.e. 5 minus 1 equal 4)

Can you confirm that CASA requires 4 Council Committee Members not 1 Council Committee Member.

Overseas Pilot Council

- One Overseas Pilot Council Representative was included in the last election (E2009/126)
- Was this position filled at the last election?
- If it was not filled, should this position be requested again?

If you have any queries regarding the above let me know.

Regards,

ANDREW SCHULTZ Research Officer

Fair Work Australia 11 Exhibition St, Melbourne Victoria 3000 GPO Box 1994, Melbourne Victoria 3001

Telephone: (03) 8661 7990 International: (613) 8661 7990 Facsimile: (03) 9655 0410 Email: andrew.schultz@fwa.gov.au

Please consider the impact to the environment and your responsibility before printing this email.

| This email and any | v files transmitted with it a | re confidential and intended sole | ly for the use of the individual |
|--------------------|-------------------------------|-----------------------------------|----------------------------------|
| This chian and an | y mos transmittou with it a | | ly for the use of the individual |

.....

or entity to whom they are addressed. If you have received this email in error please notify the sender.

This footnote also confirms that this email message has been swept for the presence of computer viruses.

.....

GPO Box 4382 Melbourne VIC 3001

Mr Lawrie Cox

Level 8, Casselden Place 2 Lonsdale Street Melbourne VIC 3000

Contact: Tony King Phone: (03) 9285 7146 Facsimile: (03) 9285 7149 E-mail: tony.king@aec.gov.au

Reference: VIC 09-314 - S2E2

Manager - Industrial Relations Australian Federation of Air Pilots Level 6, 132-136 Albert Road SOUTH MELBOURNE VIC 3205

Dear Mr Cox

Australian Federation of Air Pilots Branch Committee/Council Members E2009/10038

I refer to my letter of 21 September 2009 concerning the arrangements for me to conduct an election for various positions in your Organisation and wish to advise that a ballot will not be necessary.

My declaration of the uncontested offices is attached.

The election is not complete. I shall contact you shortly regarding the arrangements for the collegiate stage of the election.

Yours sincerely

Tony King Returning Officer

13 October 2011

cc all uncontested nominees

GPO Box 4382 Melbourne VIC 3001

Mr Lawrie Cox

Level 8, Casselden Place 2 Lonsdale Street Melbourne VIC 3000

Contact: Tony King Phone: (03) 9285 7146 Facsimile: (03) 9285 7149 E-mail: tony.king@aec.gov.au

Reference: VIC 09-314 - S2E2

Australian Federation of Air Pilots Level 6, 132-136 Albert Road SOUTH MELBOURNE VIC 3205

Manager - Industrial Relations

Dear Mr Cox

Australian Federation of Air Pilots Branch/Council Office Bearers E2009/10038

I refer to my letter of 21 September 2009 concerning the arrangements for me to conduct an election for various positions in your Organisation and wish to advise that a ballot will not be necessary.

My declaration of the uncontested Branch/Council Office Bearers is attached.

The election is now complete.

Yours sincerely

Tony King Returning Officer

13 October 2011

cc all candidates

AUSTRALIAN FEDERATION OF AIR PILOTS Branch Committee/Council Members

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

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.

E2009/10038

CIVIL AVIATION SAFETY AUTHORITY COUNCIL

Council Committee Member (4)

No nominations were received

NEW SOUTH WALES BRANCH

Branch Committee Member (13)

Candidates

BURKE, Michael DELAROZA, Dale HARGET, David PRESNEILL, Gary Peter TERRY, Cam No further nominations were accepted

NORTHERN TERRITORY BRANCH

Branch Committee Member (10)

Candidates

BUTLER, Garry MEAKINS, Gregory John MOCKLER, John Joseph No further nominations were accepted

QUEENSLAND BRANCH

Branch Committee Member (13)

Candidates

ATKINSON, Rohan BLAKER, Jarrod COUSINS, Darren No further nominations were accepted

SOUTH AUSTRALIAN BRANCH

Branch Committee Member (3)

Candidate

NOWAK, Leonard No further nominations were accepted

VICTORIAN BRANCH

Branch Committee Member (13)

No nominations were received

WESTERN AUSTRALIAN BRANCH

Branch Committee Member (10)

Candidates

CHARLESWORTH, Mike HODGES, Jeffrey WILLIAMS, Glenn No further nominations were accepted

JETSTAR COUNCIL

Council Committee Member (8)

Candidate

BOLLEN, Benjamin No further nominations were accepted

VIRGIN BLUE PILOT COUNCIL

Council Committee Member

<u>Candidate</u> HERRMANN, Hayden

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

Tony King Returning Officer

11 November 2009