

Australian Federation of Air Pilots Branch Office bearers

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.

E2010/2541

Civil Aviation Safety Authority Council

Council Vice-Chairman

No nomination was received

Council Secretary/Treasurer

No nomination was received

Northern Territory Branch

Branch Vice-Chairman

Candidate

MEAKINS, Gregory John

Branch Secretary/Treasurer

No nomination was received

Queensland Branch

Branch Secretary/Treasurer

No nomination was received

South Australian Branch

Branch Secretary/Treasurer

Candidate

MUNDY, Ryan John

Victorian Branch

Branch Chairman

Candidate

DARROCH, Robin

Branch Vice-Chairman

Candidate

WELCH, Robert

Branch Secretary/Treasurer

No nomination was received

Convention Representative

No nomination was received

Western Australian Branch

Branch Secretary/Treasurer

No nomination was received

Jetstar Council

Council Vice-Chairman

No nomination was received

Council Secretary/Treasurer

No nomination was received

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

Jeff Webb
Returning Officer

24 June 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 *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation.

E2010/2541

Civil Aviation Safety Authority Council

Council Committee Member (3)

No nominations were received

New South Wales Branch

Branch Committee Member (5)

No nominations were received

Northern Territory Branch

Branch Committee Member (5)

No nominations were received

Queensland Branch

Branch Committee Member (5)

No nominations were received

South Australian Branch

Branch Committee Member

Candidate

MUNDY, Ryan

Victorian Branch

Branch Committee Member (11)

Candidates

DARROCH, Robin

ROSS, Nicholas

WOOD, Stephen

No further nominations were accepted

Western Australian Branch

Branch Committee Member (6)

Candidate

SHUGRUE, Roger

No further nominations were accepted

Jetstar Council

Council Committee Member (2)

Candidate

ARMSTRONG, Brook

No further nomination was accepted

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

Jeff Webb
Returning Officer

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 E2010/2541**

I refer to the above election for your organisation.

Section 197(1) of the *Fair Work (Registered Organisations) Act 2009* 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 *Fair Work (Registered Organisations) Act 2009* 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) Act 2009* 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.

Jeff Webb
Returning Officer

1 July 2010

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Australian Federation of Air Pilots

ELECTION/S COVERED IN THIS REPORT

Election Decision No: E2010/2541

RULES

Rules used for the election: 282v: Incorporates alterations of 26/2/2010
(R2009/100591)

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: Ballot not required

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

Jeff Webb
Returning Officer

1 July 2010

Australian Federation of Air Pilots Branch Office bearers

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.

E2010/2541

Civil Aviation Safety Authority Council

Council Vice-Chairman

No nomination was received

Council Secretary/Treasurer

No nomination was received

Northern Territory Branch

Branch Vice-Chairman

Candidate

MEAKINS, Gregory John

Branch Secretary/Treasurer

No nomination was received

Queensland Branch

Branch Secretary/Treasurer

No nomination was received

South Australian Branch

Branch Secretary/Treasurer

Candidate

MUNDY, Ryan John

Victorian Branch

Branch Chairman

Candidate

DARROCH, Robin

Branch Vice-Chairman

Candidate

WELCH, Robert

Branch Secretary/Treasurer

No nomination was received

Convention Representative

No nomination was received

Western Australian Branch

Branch Secretary/Treasurer

No nomination was received

Jetstar Council

Council Vice-Chairman

No nomination was received

Council Secretary/Treasurer

No nomination was received

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

Jeff Webb
Returning Officer

24 June 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 *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation.

E2010/2541

Civil Aviation Safety Authority Council

Council Committee Member (3)

No nominations were received

New South Wales Branch

Branch Committee Member (5)

No nominations were received

Northern Territory Branch

Branch Committee Member (5)

No nominations were received

Queensland Branch

Branch Committee Member (5)

No nominations were received

South Australian Branch

Branch Committee Member

Candidate

MUNDY, Ryan

Victorian Branch

Branch Committee Member (11)

Candidates

DARROCH, Robin

ROSS, Nicholas

WOOD, Stephen

No further nominations were accepted

Western Australian Branch

Branch Committee Member (6)

Candidate

SHUGRUE, Roger

No further nominations were accepted

Jetstar Council

Council Committee Member (2)

Candidate

ARMSTRONG, Brook

No further nomination was accepted

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

Jeff Webb
Returning Officer



Fair Work
Australia

DECISION

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

Australian Federation of Air Pilots
(E2010/2541)

T. NASSIOS

MELBOURNE, 26 MARCH 2010

Arrangement for conduct of election.

[1] On 22 February and 10 March 2010 the Australian Federation of Air Pilots (AFAP) lodged with Fair Work Australia prescribed information in relation to an election for a number of offices.

[2] On 12 March 2010 FWA sought further information regarding the number of offices that required election in the light of recent alterations to the registered rules of the AFAP that were certified on 26 February 2010 [R2009/10059].

[3] Subsequently, on 24 March 2010 the AFAP lodged a revised election request with respect to the offices set out below:

Victorian Branch

Branch Committee Members (11)

Collegiate

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

New South Wales Branch

Branch Committee Members (5)

Queensland Branch

Branch Committee Members (5)

Collegiate

Branch Secretary/Treasurer

Western Australian Branch

Branch Committee Members (6)

Collegiate

Branch Secretary/Treasurer

South Australian Branch

Branch Committee Member (1)

Collegiate

Branch Secretary/Treasurer

Northern Territory Branch

Branch Committee Members (5)

Collegiate

Branch Vice-Chairman

Branch Secretary/Treasurer

Civil Aviation Safety Authority Council

Council Committee Members (3)

Collegiate

Council Vice-Chairman

Council Secretary/Treasurer

Jetstar Council

Council Committee Members (2)

Collegiate

Council Vice-Chairman

Council Secretary/Treasurer

[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
Fair Work Australia

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**AUSTRALIAN FEDERATION
OF AIR PILOTS**



**MEMBER OF THE
INTERNATIONAL FEDERATION OF
AIR LINE PILOTS' ASSOCIATION**

President:
Richard Higgins

Executive Director:
Terry O'Connell

22 February 2010

General Manager
Fair Work Australia
GPO Box 1994
MELBOURNE VIC 3001

Dear General Manager,

**RE: Australian Federation of Air Pilots – Branch/Council Elections – Follow Up
Ballot**

As a result of the recent election conducted by the AEC the Federation notifies you of the requirement to call a follow up ballot for all vacancies still existing on the following Branches and Councils.

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 Branch/Council Committee Election, 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 note, in relation to CASA, there is currently only one continuing Council Member – Greg Worthington. On review of our records it appears that Captain Julian Smibert was due to renominate in 2009 but did not do so. Captain Smibert appears to have been caught in the collegiate ballot for which he did nominate. Accordingly we would ask that the stage 1 process be recalled including the Smibert position.

Please contact me on (03) 9928 5737 if you have any questions or require any additional information.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'LAWRIE COX', with a horizontal line extending to the right.

Lawrie Cox

MANAGER –INDUSTRIAL RELATIONS

**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

Collegiate

Branch Chairman

Branch Vice-Chairman

Branch Secretary/Treasurer

Convention Representative (1)

Queensland Branch

Branch Committee Members

Collegiate

Branch Secretary/Treasurer

Western Australian Branch

Branch Committee Members

Collegiate

Branch Secretary/Treasurer

South Australian Branch

Branch Committee Members

Collegiate

Branch Secretary/Treasurer

Northern Territory Branch

Branch Committee Members

Collegiate

Branch Vice-Chairman

Branch Secretary/Treasurer

Civil Aviation Safety Authority Council

Branch Committee Members

Collegiate

Branch Chairman

Branch Vice-Chairman

Branch Secretary/Treasurer

Jetstar Council

Branch Committee Members

Collegiate

Branch Vice-Chairman

Branch Secretary/Treasurer

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)

Continuing Branch Members:

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)

Continuing Branch Members:

ELGAR, Ronald

PURVIS, Mark

THOMPSON, Dennis

ANDERSON, Robin

Elected in 2009

BURKE, Michael

DELAROZA, Dale

HARGET, David

PRESNEILL, Gary

TERRY, Cam

Nominations Required:

Seven (7)

Queensland Branch

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

(17)

Continuing Branch Members:

BROWN, George
GRADY, John
POLE, Louise
HARRISON, David

Elected in 2009

COUSINS, Darren
ATKINSON, Rohan
BLAKER, Jarrod

Nominations Required:

Ten (10)

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 (resigned)
NEMETH, Thomas
BAUM, Lloyd
HIPWELL, Julian
RUSSEL, Thomas
MAKIN, Paul

Elected in 2009

NOVAK, Leonard

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)

Continuing Branch Members:

HALLETT, Barry
NORMAN, Anthony (deceased)
RODDAN, Neville

Elected in 2009

CHARLESWORTH, Mike
WILLIAMS, Glenn
HODGES, Jeffrey

Nominations Required:

Eight (8)

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

Elected in 2009

MEAKINS, Greg

MOCKLER, John

BUTLER, Garry

Nominations Required:

Seven (7)

Civil Aviation Safety Authority Council

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

(5)

Continuing Council Members:

WORTHINGTON, Greg

Nominations Required:

Four (4)

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

Elected in 2009

BOLLEN, BEN

Nominations Required:

Seven (7)

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

To fill vacancies as the offices or positions were not filled at the previous election.

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, and Jetstar.

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 and Jetstar Council Committee.

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

Please call nominations as soon as possible (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.



President, Bryan Murray

Date: 22 February 2010

**AUSTRALIAN FEDERATION
OF AIR PILOTS**



**MEMBER OF THE
INTERNATIONAL FEDERATION OF
AIR LINE PILOTS' ASSOCIATION**

President:
Richard Higgins

Executive Director:
Terry O'Connell

10 March 2010

General Manager
Fair Work Australia
GPO Box 1994
MELBOURNE VIC 3001

Dear General Manager,

**RE: Australian Federation of Air Pilots – Branch/Council Elections – Follow Up
Ballot**

In my letter of 22 February 2010 I advised of a requirement to call a follow up ballot for all vacancies still existing on our Branches and Councils.

Please note that the number of vacancies advised in the Queensland Branch is incorrect. There are currently seven, not ten, vacancies in Queensland. Captains Timothy Ash, Russell Thompson and John Sheppard have been added to the list of continuing branch members (highlighted in blue) in the attached document.

No other changes have been made to the information originally provided on 22 February 2010.

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

The information includes:

- The prescribed information in respect of the Branch/Council Committee Election, 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...”

Level 6, 132-136 Albert Road, South Melbourne, Victoria 3205
Tel: (03) 9699 4200 Fax: (03) 9699 8199
Email: admin@afap.org.au

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		

Please note, as previously advised, in relation to CASA, there is currently only one continuing Council Member – Greg Worthington. On review of our records it appears that Captain Julian Smibert was due to renominate in 2009 but did not do so. Captain Smibert appears to have been caught in the collegiate ballot for which he did nominate. Accordingly we would ask that the stage 1 process be recalled including the Smibert position.

Please contact me on (03) 9928 5737 if you have any questions or require any additional information.

Yours faithfully,



Lawrie Cox
MANAGER – INDUSTRIAL RELATIONS

**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

Collegiate

Branch Chairman

Branch Vice-Chairman

Branch Secretary/Treasurer

Convention Representative (1)

Queensland Branch

Branch Committee Members

Collegiate

Branch Secretary/Treasurer

Western Australian Branch

Branch Committee Members

Collegiate

Branch Secretary/Treasurer

South Australian Branch

Branch Committee Members

Collegiate

Branch Secretary/Treasurer

Northern Territory Branch

Branch Committee Members

Collegiate

Branch Vice-Chairman

Branch Secretary/Treasurer

Civil Aviation Safety Authority Council

Branch Committee Members

Collegiate

Branch Chairman

Branch Vice-Chairman

Branch Secretary/Treasurer

Jetstar Council

Branch Committee Members

Collegiate

Branch Vice-Chairman

Branch Secretary/Treasurer

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)

Continuing Branch Members:

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)

Continuing Branch Members:

ELGAR, Ronald

PURVIS, Mark

THOMPSON, Dennis

ANDERSON, Robin

Elected in 2009

BURKE, Michael

DELAROZA, Dale

HARGET, David

PRESNEILL, Gary

TERRY, Cam

Nominations Required:

Seven (7)

Queensland Branch

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

(17)

Continuing Branch Members:

BROWN, George
GRADY, John
POLE, Louise
HARRISON, David
ASH, Timothy
SHEPPARD, John
THOMPSON, Russell

Elected in 2009

COUSINS, Darren
ATKINSON, Rohan
BLAKER, Jarrod

Nominations Required:

Seven (7)

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 (resigned)
NEMETH, Thomas
BAUM, Lloyd
HIPWELL, Julian
RUSSEL, Thomas
MAKIN, Paul

Elected in 2009

NOVAK, Leonard

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)

Continuing Branch Members:

HALLETT, Barry
NORMAN, Anthony (deceased)
RODDAN, Neville

Elected in 2009

CHARLESWORTH, Mike
WILLIAMS, Glenn
HODGES, Jeffrey

Nominations Required:
Eight (8)

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

Elected in 2009
MEAKINS, Greg
MOCKLER, John
BUTLER, Garry

Nominations Required:
Seven (7)

Civil Aviation Safety Authority Council

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

(5)

Continuing Council Members:
WORTHINGTON, Greg

Nominations Required:
Four (4)

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

Elected in 2009
BOLLEN, BEN

Nominations Required:
Seven (7)

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

To fill vacancies as the offices or positions were not filled at the previous election.

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, and Jetstar.

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 and Jetstar Council Committee.

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

Please call nominations as soon as possible (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.



President, Bryan Murray

Date: 10 March 2010

Re: AFAP Election – E2010/2541

I refer to the above election request that was lodged on 22 Feb and amended on 10 March 2010.

Many of these vacancies arise due to unfilled vacancies in E2009/10038. The results for that election were declared on 11 Nov 2009 (Committee members) and 12 Jan 2010 (officers).

I seek further information as set out below:

1. Number of Committee Members

Each branch and council is entitled to a certain number of committee members based on its number of members – see Rule 4.

New AFAP Rules were certified on 26 Feb 2010 which reduced the number of committee members a branch or council is entitled to. The present election request has calculated the number of committee members for each branch and council based on the superseded rules.

Regulation 132 of the *Fair Work (Registered Organisations) Regulations 2009* provides that the rules that apply to an election are ‘the rules in force on the day nominations for an election open’.

Accordingly, the AFAP may wish to amend the number of positions due for election for the various committees in light of the new rules certified on 26 Feb 2010 – as set out in the table below:

Branch/ Council	Membership as provided by AFAP in election request in Feb/March 2010	<u>Total entitlements under formula in old AFAP Rules</u> (that ceased to operate 26 Feb 2009)	Total Entitlements as stated by AFAP in present election request	Numbers AFAP has requested for election in present election	<u>Total entitlements under formula in new AFAP Rules</u> certified 26 Feb 2010 (R2009/10059)	Numbers that appear to be due for election based on AFAP Rules certified 26 Feb 2010 (R2009/10059)
Vic/Tas	282	14 - see Rules 4.1(e)-(g)	14	13 (i.e. 14 minus 1 currently filled = 13)	12 – see Rules 4.1(e),(f)	11 (i.e. 12 minus 1 currently filled = 11)
NSW	402	16 - see Rules 4.1(e)-(g)	16	7 (i.e. 16 minus 9 currently filled = 7) NB: See also Point 3 below re Additional ‘continuing’ branch committee members?	14 – see Rules 4.1(e),(f)	5 (i.e. 14 minus 9 currently filled = 5) NB: See also Point 3 below re Additional ‘continuing’ branch committee members?
QLD	458	17 - see Rules 4.1(e)-(g)	17	7 (i.e. 17 minus 10 currently filled = 7) NB: See also Point 3 below re Additional ‘continuing’ branch committee members?	15 – see Rules 4.1(e),(f)	5 (i.e. 15 minus 10 currently filled = 5) NB: See also Point 3 below re Additional ‘continuing’ branch committee members?
SA	106	10 – see Rules 4.1(e)-(g)	10	3 (i.e. 10 minus 7 currently filled = 3)	8 – see Rules 4.1(e),(f)	1 (i.e. 8 minus 7 currently filled = 1)
WA	252	13 - see Rules 4.1(e)-(g)	13	8 (i.e. 13 minus 5 currently filled = 8)	11 – see Rules 4.1(e),(f)	6 (i.e. 11 minus 5 currently filled = 6)
NT	110	10 – see Rules 4.1(e)-(g)	10	7 (i.e. 10 minus 3 currently filled = 7)	8 – see Rules 4.1(e),(f)	5 (i.e. 8 minus 3 currently filled = 5)
CASA	29	5 - see 4.1(h)(iv)-(vi)	5	4 (i.e. 5 minus 1 currently filled = 4)	4 – see Rules 4.1.2(d),(e)	3 (i.e. 4 minus 1 currently filled = 3)
Virgin Blue	587	20 - see 4.1(h)(iv)-(vi)	NA	NA	NA	NA
Jetstar	118	10 – see 4.1(h)(iv)-(vi)	10	7 (i.e. 10 minus 3 currently filled = 7)	4 – see Rules 4.1.2(d),(e)	1 (i.e. 4 minus 3 currently filled = 1)

2. Peter Smibert – CASA Council Chairman

The AEC declared Mr Smibert elected to the above position on 12 Jan 2010 (E2009/10038). The term of office is 12 months under Rule 5.14.

The lodged notice states that this position is vacant and requires an election to fill it. The notice also states that this is because Mr Smibert failed to re-nominate for the CASA Council (it is assumed that this means that he did not re-nominate for an ordinary position on the committee in E2009/10038)

It is unclear whether, under the Rules, this position is vacant. For example, the following rules may suggest that Mr Smibert has the right to continue in his office for the full term:

- Rule 5.14 – *'The term of office for all Officers shall be for a period of twelve months, or until re-elected, or until removed in accordance with the Rules'*
- Rule 5.1 – *'The Branch/Council Committee shall consist of the members elected in accordance with Rule 4 and shall include the Branch/Council Chairman, Vice Chairman and Secretary.'*

Please provide further information as to whether the office of CASA Council Chairman is vacant in light of the above.

3. Additional 'continuing' branch committee members?

The election notice (as amended by the information lodged on 10 March 2010) states that the following vacancies exist on the QLD and NSW Branch Committees:

- QLD Branch Committee – 7
- NSW Branch Committee – 7

However the records of FWA would suggest that the following vacancies exist on the QLD and NSW Branch Committees:

- QLD Branch Committee – 10
- NSW Branch Committee - 8

The apparent reason for these discrepancies is due to the AFAP election notice defining additional people as 'continuing' branch committee members when compared to the list of continuing branch committee members listed in the previous election notice lodged on 7 August 2009 (E2009/10038) as follows:

- the notice of 10 March 2010 states that 3 persons (Ash, Thompson and Sheppard) *'have been added to the list of continuing branch [committee] members'* in QLD. These persons were not on the list of continuing committee members in E2009/10038.
- the notice of 22 Feb 2010 includes Robin Anderson on the list of continuing committee members in NSW – he was not on the list of continuing committee members in E2009/10038.

Would you be able to provide additional information to clarify the above.

4. Resignation of committee member

The election notice states that Stuart Beveridge has resigned from the SA Branch Committee.

Please provide a copy of Mr Beveridge's resignation letter.

If you have any queries regarding the above please contact me.

Regards,

ANDREW SCHULTZ
Fair Work Australia
Telephone: (03) 8661 7990
Email: andrew.schultz@fwa.gov.au

12 March 2010

**AUSTRALIAN FEDERATION
OF AIR PILOTS**



**MEMBER OF THE
INTERNATIONAL FEDERATION OF
AIR LINE PILOTS' ASSOCIATION**

President:
Richard Higgins

Executive Director:
Terry O'Connell

24 March 2010

Mr Andrew Schultz
Fair Work Australia
GPO Box 1994
MELBOURNE VIC 3001

Dear Mr Shultz,

**RE: Australian Federation of Air Pilots – Branch/Council Elections – Follow Up
Ballot**

In your letter of 12 March 2010 you requested additional information regarding the AFAP's request to call a follow up ballot for all vacancies still existing on our Branches and Councils.

Please find responses to your requests below.

1. Number of Committee Members

The AFAP has amended the number of positions due for election for the various committees in light of the new rules certified on 26 February 2010.

Please note that by our calculations the number of positions on the Jetstar Council (based on a membership of 118) is 5 rather than 4 as outlined in your letter.

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

The information includes:

- The prescribed information in respect of the Branch/Council Committee Election, 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...”

Level 6, 132-136 Albert Road, South Melbourne, Victoria 3205
Tel: (03) 9699 4200 Fax: (03) 9699 8199
Email: admin@afap.org.au

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		

2. Captain Smibert – CASA Council Chairman

I confirm that Capt Smibert did not renominate for an ordinary position on the committee in E2009/10038. Despite this fact the AEC declared Capt Smibert elected to Council Chairman on 12 January 2010.

There has been some confusion within the CASA Council as to its constituency. This was evident during the 2008 election at which time the AEC advised that Capt Smibert had been rejected as a nominee as he had been elected as a committee member in 2007 for two years. This confusion obviously prevailed in the 2009 election when Capt Smibert did not nominate as a council committee member but did nominate as Council Chairman.

You note that the Federation's current rules may suggest that Capt Smibert has the right to continue in his office for the full term. If FWA does not object, the Federation would support the decision of the AEC to declare Capt Smibert as the current CASA Council Chairman.

3. Additional 'continuing' branch committee members.

You have asked for additional information to clarify the number of continuing branch members on the QLD and NSW branches.

Captains Thompson, Sheppard and Ash (QLD) and Captain Anderson (NSW) were elected in May 2009 (E2009/126) in a follow up ballot conducted after the 2008 elections. Due to an administrative oversight they were not listed as continuing branch committee members in E2009/10038.

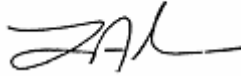
4. Resignation of committee member.

On 23 October 2009 the Federation notified FWA of the resignation of Capt Stuart Beveridge from the SA Branch Committee. Capt Stuart's resignation was minuted during a SA Branch Committee meeting on 20 October 2009. The relevant extract from the meeting minutes is provided below:

GENERAL BUSINESS: (1) *The Chairman regretfully accepted the resignation of Cpt. Stuart Beveridge from the SA Branch Committee (Branch Secretary) as Stuart has accepted a transfer to Townsville with REX. The Chairman also expressed his appreciation for Stuart's input into the running of the SA Branch and wished him well for his future.*

Please contact me on (03) 9928 5737 if you have any questions or require any additional information.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'L Cox', with a horizontal line extending to the right.

Lawrie Cox

MANAGER – INDUSTRIAL RELATIONS

**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 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

Collegiate

Branch Chairman

Branch Vice-Chairman

Branch Secretary/Treasurer

Convention Representative (1)

Queensland Branch

Branch Committee Members

Collegiate

Branch Secretary/Treasurer

Western Australian Branch

Branch Committee Members

Collegiate

Branch Secretary/Treasurer

South Australian Branch

Branch Committee Members

Collegiate

Branch Secretary/Treasurer

Northern Territory Branch

Branch Committee Members

Collegiate

Branch Vice-Chairman

Branch Secretary/Treasurer

Civil Aviation Safety Authority Council

Branch Committee Members

Collegiate

Branch Vice-Chairman

Branch Secretary/Treasurer

Jetstar Council

Branch Committee Members

Collegiate

Branch Vice-Chairman

Branch Secretary/Treasurer

2009 ELECTION - AFAP BRANCH/COUNCIL COMMITTEE MEMBERS

Victorian Branch

Number of Branch Committee members to be elected under Rule 4.1.1(f) as the Victorian Branch Comprises 282 financial members:

(12)

Continuing Branch Members:

WELCH, Robert

Nominations Required:

Eleven (11)

New South Wales

Number of Branch Committee members to be elected under Rule 4.1.1(f) as the New South Wales Branch comprises 402 financial members:

(14)

Continuing Branch Members:

ELGAR, Ronald

PURVIS, Mark

THOMPSON, Dennis

ANDERSON, Robin

Elected in 2009

BURKE, Michael

DELAROZA, Dale

HARGET, David

PRESNEILL, Gary

TERRY, Cam

Nominations Required:

Five (5)

Queensland Branch

Number of Branch Committee members to be elected under Rule 4.1.1(f) as the Queensland Branch comprises 458 financial members:

(15)

Continuing Branch Members:

BROWN, George
GRADY, John
POLE, Louise
HARRISON, David
ASH, Timothy
SHEPPARD, John
THOMPSON, Russell

Elected in 2009

COUSINS, Darren
ATKINSON, Rohan
BLAKER, Jarrod

Nominations Required:

Five (5)

South Australia Branch

Number of Branch Committee members to be elected under Rule 4.1.1(f) as the South Australia Branch comprises 106 financial members:

(8)

Continuing Branch Members:

HIGGINS, Richard
BEVERIDGE, Stuart (resigned)
NEMETH, Thomas
BAUM, Lloyd
HIPWELL, Julian
RUSSEL, Thomas
MAKIN, Paul

Elected in 2009

NOVAK, Leonard

Nominations Required:

One (1)

Western Australia Branch

Number of Branch Committee members to be elected under Rule 4.1.1(f) as the Western Australian Branch comprises 252 financial members:

(11)

Continuing Branch Members:

HALLETT, Barry
NORMAN, Anthony (deceased)
RODDAN, Neville

Elected in 2009

CHARLESWORTH, Mike
WILLIAMS, Glenn
HODGES, Jeffrey

Nominations Required:
Six (6)

Northern Territory Branch

Number of Branch Committee members to be elected under Rule 4.1.1(f) as the Northern Territory Branch comprises 110 financial members:

(8)

Continuing Branch Members:
NIL

Elected in 2009
MEAKINS, Greg
MOCKLER, John
BUTLER, Garry

Nominations Required:
Five (5)

Civil Aviation Safety Authority Council

Number of Council Committee members to be elected under Rule 4.1.2(e) when the Council Comprises 29 members:

(4)

Continuing Council Members:
WORTHINGTON, Greg

Nominations Required:
Three (3)

Jetstar Council Committee

Number of Council Committee members to be elected under Rule 4.1.2(d) when the Council comprises 118 members:

(5)

Continuing Council Members:
LEWIS, Lester
GARDINER, Peter

Elected in 2009
BOLLEN, BEN

Nominations Required:
Two (2)

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

To fill vacancies as the offices or positions were not filled at the previous election.

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, and Jetstar.

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 and Jetstar Council Committee.

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

Please call nominations as soon as possible (Rule 12.3(a)). Nominations shall remain open for 28 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.



President, Bryan Murray

Date: 24 March 2010