



4 December 2015

Captain David Booth
President
Australian Federation of Air Pilots
president@afap.org.au

Dear Booth,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Commission a declaration of results for the election [E2015/126]. This letter is a reminder of certain obligations imposed on organisations and persons elected to office.

Section 154D(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires the rules of organisations (and branches of organisations) to require each officer with financial management duties to undertake approved training that covers those duties within 6 months after the person begins to hold office. Please ensure that relevant officers undertake approved training within the required timeframe.

Please also ensure that all new holders of office are advised of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests, the details of which should be provided for in your organisation's rules.

Also, section 233(2) of the RO Act requires that an organisation must notify the Fair Work Commission (the Commission) within 35 days of any changes to the holders of office in the organisation. If the election has resulted in any changes to the holders of office, the Australian Federation of Air Pilots must notify the Commission of these changes. In particular, please advise:

1. Person(s) who have ceased to hold office:
 - the name of the office vacated;
 - the date of the change of office holder; and
 - the name of the person vacating the office.
2. Person(s) who have commenced to hold office:
 - the name of the office now held;
 - the date of the change of office holder;
 - the name of the person now holding the office;
 - the postal address of the person (generally the postal address of the organisation); and
 - the occupation of the person now holding the office.

The notification must include a declaration by the Secretary (or other prescribed officer) that the information is a correct statement of the changes made. I have attached a template notification of changes which may assist you. If any change does not apply until a specific date, you don't need to notify until then (e.g. AGM, 1 January, 2nd Monday in March). If you have already lodged this information, please disregard this reminder.

Regards

Debbie Ball
Regulatory Compliance Branch

**NOTIFICATION OF CHANGES TO RECORDS (Changes to Records in the Annual Return)
required to be kept in accordance with section 230 *Fair Work (Registered Organisations)
Act 2009* and regulation 147 *Fair Work (Registered Organisations) Regulations 2009***

I, [NAME], being the [OFFICER] of the [ORGANISATION NAME], declare the following:

1. I am authorised to make this declaration.
2. The following is a correct statement of the changes made to the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the *Fair Work (Registered Organisations) Act 2009*:

[delete all that do not apply]

- On [DATE] the address of the organisation changed to [STREET ADDRESS].¹
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:²
 1. [include OLD name and address and NEW name and address of every branch that has changed]
 2. ...
- A list of changes to offices and the names, postal addresses and occupations of persons holding those offices is attached to this declaration at Annexure A and forms part of this declaration.
- On [DATE] the following branch[es]:³
 - COMMENCED/CEASED operation:
 1. [include name of each new branch]
 2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within 35 days of the change. It can be submitted to orgs@fwc.gov.au.]

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a) & (d)

³ s.230(1)(d); reg.147(b) & (c)

ANNEXURE A

- Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:

Please note the 35 days begins at the earliest event (for instance when the officer retires) and an organisation may need to notify the events separately if the appointment or election process will take longer than 35 days.

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Retiring</i>	<i>Full Name</i>	<i>c/- the Registered Organisation, postal address of Registered Organisation</i>	<i>Paid official</i>
	<i>25.12.2013</i>	<i>President</i>	<i>vacant</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
...							
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Resignation</i>	<i>Full Name</i>	<i>c/- the Branch, postal address of the Branch</i>	<i>mechanic</i>
		<i>Committee of Management Member</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
...							

Simon Lutton
Executive Director
Australian Federation of Air Pilots
Level 4, 132 Albert Road
South Melbourne VIC 3205

**Post Election Report For: Australian Federation of Air Pilots
Election E No 2015/126**

I refer to the above election for your organisation.

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

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* 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.

A handwritten signature in black ink, appearing to read 'B. Murray', with a long horizontal flourish extending to the right.

Ben Murray
Returning Officer
26 August 2015

Fair Work (Registered Organisations) Act 2009 Schedule 1

POST ELECTION REPORT

Australian Federation of Air Pilots

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2015/126

RULES

Rules used for the election: 282V: Incorporates alterations of 19 December 2014 (R2014/242)

Rules difficult to apply/interpret:

Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: 237 (Sunstate Election)

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

Ben Murray
Returning Officer

26 August 2015

Australian Federation of Air Pilots
Stage 1 – E2015/126
Council Committee Member Vacancies

Declaration of Results for Contested and Uncontested Offices

E2015/126

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.

**Jetstar Council
Council Committee Member (5)**

Candidates

No candidates elected.

**Eastern Council
Council Committee Member (3)**

Candidates

NAPIER, Richard

*I declare Richard Napier elected.
No other nominations received.*

Sunstate Council

Total number of names on the roll of voters	237
Ballot papers issued	237
Total Ballot Papers Issued	237
Ballot papers/envelopes returned for scrutiny	85
Less ballot papers/envelopes rejected at preliminary scrutiny	0
Total Ballot Papers Admitted to Scrutiny	85
Percentage of ballot papers returned to number issued	35
Ballot papers not returned	152

Council Committee Member (2)

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
TURNER, Richard	11	28
COPLAND, Richard	10	39
NELSON, David	26	46
MILLROY, Rod	38	55
Exhausted Votes		2
Total votes	85	168
Formal ballot papers	85	85
Informal ballot papers	0	0

I declare Rod Millroy and David Nelson elected.

Australian Federation of Air Pilots
Stage 1 – E2015/126
Council Committee Member Vacancies

Rex Council
Council Committee Member (5)

Candidates

No candidates elected.

National Council
Council Committee Member (10)

Candidates

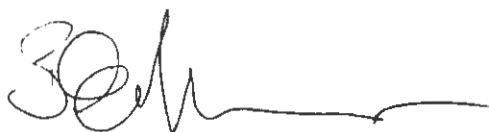
NEMETH, Thomas
O'KEEFFE, Matthew Peter

*I declare Thomas Nemeth and Matthew Peter O'Keeffe elected.
No other nominations received.*

Helicopters Council
Council Committee Member (8)

Candidates

No candidates elected.



Benjamin Murray
Returning Officer
Australian Electoral Commission

13 July 2015

Australian Federation of Air Pilots - Stage 2

Declaration of Results for Uncontested Offices

E2015/126

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.

Virgin Council

Convention Representative

Candidates

LOELIGER, Brett

Eastern Council

Council Secretary

Candidates

No nomination was received

Convention Representative

Candidates

No nomination was received

Sunstate Council

Council Vice-Chairman

Candidates

MILLROY, Rod

Rex Council

Council Chairman

Candidates

DARROCH, Robin

Council Vice Chairman

Candidates

BENNETT, Mark

National Council

Convention Representative (4)

Candidates

O'KEEFFE, Matthew Peter

No further nominations were accepted

Helicopters Council

Council Secretary

Candidates

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.



Ben Murray
Returning Officer

26 August 2015



DECISION

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

Australian Federation of Air Pilots (E2015/126)

MR ENRIGHT

MELBOURNE, 22 APRIL 2015

Arrangement for conduct of election.

[1] On 28 March 2015 the Australian Federation of Air Pilots lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices due to insufficient nominations in E2014/146:

Jetstar Council

Council Committee Members (5)

Eastern Council

Council Committee Members (3)

Council Secretary
Convention Representative (1)

Rex Council

Council Committee Members (5)

Council Chairman
Council Vice-Chairman

National Council

Council Committee Members (10)

Convention Representatives (4)

Helicopters Council

Council Committee Members (8)

Council Secretary

Virgin Council

Convention Representative (1)

[2] On the same date the organisation lodged the prescribed information in relation to an election to fill casual vacancies for the remainder of the term of office in the following offices:

Sunstate Council

Council Committee Members (2)

Council Vice-Chairman

[3] 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

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27 March 2015

General Manager
Fair Work Commission
GPO Box 1994
MELBOURNE VIC 3001

Via email: orgs@fwc.gov.au

Dear General Manager,

Election recall - Australian Federation of Air Pilots - Council Committee Elections - E2014/145

As a result of the election (E2014/145) conducted by the AEC, the Federation notifies the Fair Work Commission of the requirement to call a follow up ballot for vacancies existing on our Council Committees.

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

The information includes:

- the prescribed information in respect of the Council Committee Election, signed by Captain David Booth, President of the AFAP; and
- details of the number of required nominations, in accordance with Rule 4 of the AFAP Rules.

Please also note that under the AFAP Rules the Council Committee members elect a Chairman, Vice Chairman, Secretary 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 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 Council at the time of the original application (23 May 2014) are as follows:

Virgin	577	Sunstate	258
Jetstar	337	Rex	242
Eastern	207	National	1461
Cobham	115	Helicopters	593

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

Yours sincerely,

A rectangular box containing a handwritten signature in black ink. The signature appears to read "Simon Lutton" in a cursive style.

Simon Lutton
Executive Director

**PRESCRIBED INFORMATION IN RESPECT OF COUNCIL ELECTIONS –
SUBSECTION 189(1) OF THE FAIR WORK (RO) ACT 2009**

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

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

Jetstar Council Committee

Number of Council Committee members to be elected under Rule 4.1.1(e)(ii) as the Jetstar Council comprises 337 financial members:

(13)

Nominations Required:

Five (5)

Eastern Council Committee

Number of Council Committee members to be elected under Rule 4.1.1(e)(ii) as the Eastern Council comprises 207 financial members:

(8)

Nominations Required:

Three (3)

Sunstate Council Committee

Number of Council Committee members to be elected under Rule 4.1.1(e)(ii) as the Sunstate Council comprises 258 financial members:

(10)

Nominations Required:

Two (2)

Rex Council Committee

Number of Council Committee members to be elected under Rule 4.1.1(e)(ii) as the Rex Council comprises 242 financial members:

(10)

Nominations Required:

Five (5)

National Council Committee

Number of Council Committee members to be elected under Rule 4.1.1(e)(ii) as the National Council comprises 1461 members:

(15)

Nominations Required:

Ten (10)

Helicopters Council Committee

Number of Council Committee members to be elected under Rule 4.1.1(e)(ii) as the Helicopters Council comprises 593 members:

(15)

Nominations Required:

Eight (8)

ELECTION OF OFFICERS - RULE 5.8(a)

Virgin Council

Council Members (577)

Collegiate

Convention Representative (1)

Eastern Council

Council Members (207)

Collegiate

Council Secretary
Convention Representative (1)

Sunstate Council

Council Members (258)

Collegiate

Council Vice-Chairman

Rex Council

Council Members (242)

Collegiate

Council Chairman
Council Vice-Chairman

National Council

Council Members (1461)

Collegiate

Convention Representatives (4)

Helicopters Council

Council Members (593)

Collegiate

Council Secretary

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

To fill vacancies due to insufficient nominations and resignations under the AFAP Council structure in accordance with the AFAP Rules.

Then:

To fill vacant Office Bearer positions due to insufficient nominations and resignations on the Virgin, Eastern, Sunstate, Rex, National and Helicopters Council Committees as per Rule 5.8 of the AFAP Rules.

3. The electorate/s for the election are:

Jetstar, Eastern, Sunstate, Rex, National and Helicopters Councils.

Then:

Members of the Virgin, Eastern, Sunstate, Rex, National and Helicopters Council Committees.

4. The dates and times of the beginning and end of the period in which nominations of candidates will be called for

Please call nominations as soon as possible. Under Rule 12.3(a) nominations for these positions shall remain open for a period of 21 days.

5. The day provided for under the AFAP Rules as the day on which the roll of voters is to be closed

In accordance with Rule 12.6(c) a roll of voters shall be prepared by the Returning Officer which shall be updated so as to include all financial members of the Federation on the fourteenth day prior to the opening of nominations.

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

Direct voting system of all financial members of the relevant Councils.

Then:

Collegiate voting of all financial members of the Virgin, Eastern, Sunstate, Rex, National and Helicopter Council Committees.



President, David Booth
27 March 2015