



3 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 [E2015/170]. 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 2015/170**

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.

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: E2015/170

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: 3,815

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 Scheduled Election - Federal - E2015/170

Declaration of Results

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.

National Office Bearers

Vice President (Administration and Finance)

Candidates

POLE, Louise

Vice President (Membership)

Candidates

BOLLEN, Ben

Trustee

Candidates

ABSOLON, John Peter

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
19 August 2015



DECISION

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

Australian Federation of Air Pilots
(E2015/170)

MR ENRIGHT

MELBOURNE, 18 JUNE 2015

Arrangement for conduct of election.

[1] On 20 May 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:

Vice President (Administration and Finance)
Vice President (Membership)
Trustee

[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

Printed by authority of the Commonwealth Government Printer

<Price code A, PR568473>



20 May 2015

General Manager
Fair Work Commission
GPO Box 1994
MELBOURNE VIC 3001

Via email: orgs@fwc.gov.au

Dear General Manager,

Australian Federation of Air Pilots (AFAP) – 2015 Federal Elections

Please find attached information lodged in accordance with section 189(1) of Schedule 1 of the [Fair Work \(Registered Organisations\) Act 2009](#). The information includes the prescribed information in respect of an election, signed by Captain David Booth, President of the AFAP, as specified in Regulation 138 of the *Fair Work (Registered Organisations) Regulations 2009*.

Please note that to meet the requirements of the AFAP Rules and the scheduling of our Annual Convention (9 October 2015), the Federal elections should be commenced (nominations open) in accordance with Rule 12 of the Rules of the AFAP.

Please contact me on (03) 9928 5737 or at simon@afap.org.au should you have any questions or require any additional information.

Yours sincerely,

Simon Lutton
Executive Director

PRESCRIBED INFORMATION IN RESPECT OF FEDERAL ELECTION SUBSECTION 189(1) OF THE FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009

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

1. The office/s in respect of which the elections are required are:

Vice President (Administration and Finance)
Vice President (Membership)
Trustee

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

The term of office of the officers will expire at the Annual Convention of the Australian Federation of Air Pilots scheduled for 9 October 2015.

3. The electorate/s for the election are:

The financial members of the Australian Federation of Air Pilots.

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

Nominations should be called for in accordance with Rule 12 of the Rules of the Australian Federation of Air Pilots and be open for 21 days. If an election is required a ballot should be opened within 7 days after the end of the nomination period and closed not later than 21 days from the date of issue of the last ballot paper.

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 Australian Federation of Air Pilots.



President, Captain David Booth

20 May 2015