

27 June 2018

# Post-Election Report

**The Australian Licenced Aircraft Engineers  
Association E2017/277**

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## Election(s) Covered in this Report

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Election Decision No/s: E2017/277

## Rules

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Rules used for the election: [107N: Incorporates alternations certified on 11 March 2016 {R2015/272}]

Rules difficult to apply/interpret: N/A

Model Rule reference (if any) N/A

## Roll of Voters

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Total number of voters on the Roll: 1082

Number of apparent workplace addresses: Nil

Number of non-current addresses: 8

Other matters pertaining to the roll of voters: N/A

## Irregularities

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Details of written allegations of irregularities, and action taken by AEC: Nil

Other irregularities identified, and action taken: Nil

## Other Matters

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The rules do not provide instruction regarding withdrawal of nominations by a candidate. It is recommended the rules be amended to include direction for candidates wishing to withdraw a nomination. E.g. Nominations may be withdrawn in writing to the Returning Officer up to the closing time of nominations.

The rules appear to be silent on the method used to determine the order of names on a ballot paper. It is recommended the rules be amended to specify the method by which the order is determined. E.g. the order of names on a ballot paper shall be determined by a draw conducted by the Returning Officer. Alternatively: the order of names on a ballot paper shall be alphabetical by surname of the candidates (as determined by the Association).

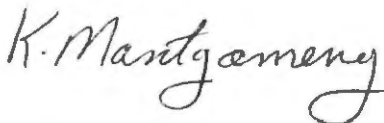
The rules appear to be silent on the action to be taken should two or more candidates receive an equal number of votes in a ballot (tied result). It is recommended the rules be amended to include instruction on how to resolve a tied vote. E.g. should two or more candidates receive an equal number of votes the Returning Officer shall draw by lot to determine the result. Or an alternate method as determined by the Association.

Rule 22 (e) states: "A member shall not hold more than one position on the Federal Executive at any one time". The rules appear to be silent on what action should be taken if a candidate is eligible to be elected to more than one office. It is recommended the rules be amended to clarify the action to be taken to resolve such a result. E.g. rule 22 (e) be amended to include a reference to the hierarchy to be applied (*as listed in rule 21 (2)*): "A member shall not hold more than one position on the Federal Executive at any one time. If a member is eligible to be elected to more than one office, the following hierarchy of office shall be applied to election: Federal President, Senior Vice-President, Vice-President, Federal Secretary, Assistant Federal Secretary, Trustees, and Councillor."

## Attachments

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- 1). Declaration of Results Contested and Uncontested Offices E2017/277



Kathryn Montgomery  
Returning Officer

27 June 2018



6 June 2018

Federal Secretary  
Australian Licenced Aircraft Engineers Association  
alaea@alaea.asn.au

Dear Federal Secretary,

### **Reminder of actions required when persons elected to office**

The Australian Electoral Commission has provided the Registered Organisations Commission (the ROC) a declaration of results for the election of uncontested and contested offices for Federal Executive [E2017/277]. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

#### **A notice must be published on the organisation's website**

The organisation or branch must publish on its website a notice that a copy of the report is available from the organisation, branch or the AEC on request. The notice must be kept on the website for a period of at least 3 months (see regulation 141 of the Fair Work (Registered Organisations) Regulations 2009).

#### **Holders of office required to undertake approved training**

Section 293K of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires 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 are provided for in the RO Act.

#### **Organisation must notify the Commission of changes**

Also, section 233(2) of the RO Act requires that an organisation must notify the Commission **within 35 days of any changes** to the holders of office in the organisation. **If there are no changes a notification is not required.** If the election has resulted in **any changes** to the holders of office, the Australian Licenced Aircraft Engineers Association, The 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. A template notification of changes, which may assist you, is attached. If any change does not apply until a date in the future, you do not 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

**Christine Hibberd**  
**Registered Organisations Commission**

# **The Australian Licenced Aircraft Engineers Association**

## **DECLARATION OF RESULTS - E2017/277**

### **Contested and Uncontested Offices**

#### **Federal Executive**

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##### **Scheduled Election**

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 are:

##### **The Australian Licenced Aircraft Engineers Association**

###### **Federal President (1)**

###### Candidates

WYSE, Rodney

###### **Senior Vice-President (1)**

###### Candidates

WEITENBERG, Michael

###### **Vice-President (1)**

###### Candidates

GILL, Peter James

###### **Federal Secretary (1)**

###### Candidates

PURVINAS, Stephen

###### **Assistant Federal Secretary (1)**

###### Candidates

MURRAY, Luke

###### **Trustee (2)**

###### Candidates

RE, Stephen

GANT, Mark

**Federal Executive Councillors:**

**Qantas Airways Councillor (6)**

Total number of persons on the roll of voters	1082
Ballot Papers Issued	1082
Replacement ballot papers issued	0
<b>TOTAL BALLOT PAPERS ISSUED</b>	<b>1082</b>
Ballot papers/envelopes returned for scrutiny	433
Less ballot papers/envelopes rejected at preliminary scrutiny	5
Adjusting balance	0
<b>TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY</b>	<b>428</b>
Percentage of ballot papers returned to number issued	40%
Ballot papers returned as unclaimed mail by closing date of ballot	8
Ballot papers not returned	641

**Councillor (6)**

<u>Candidates</u>	<u>Votes</u>
MCCLENAHAN Brett	354
REA Mathew	353
DERNDORFER Wayne Erich	318
BURLEIGH Christopher Brian	336
BURSILL John	206
HYDE Craig	330
COX Bradley	376
THOMAS Steven Mark	207
Total votes	2480
Formal ballot papers	428
Informal ballot papers	0

I declare the following elected:	Order elected
• COX Bradley	1
• MCCLENAHAN Brett	2
• REA Mathew	3
• BURLEIGH Christopher Brian	4
• HYDE Craig	5
• DERNDORFER Wayne Erich	6

**Virgin Australia or its Maintenance and Repair Organisation provider  
Councillor (2)**

Candidates

TAMBLYN, Christian Clive John  
DAVIES, Mike



**Helicopter Sector  
Councillor (1)**

Candidates

*No Nominations Received*

**Qantas controlled or aligned Regional Airlines  
Councillor (1)**

Candidates

TOOVEY, Robert Charles

**Regional Airlines  
Councillor (1)**

Candidates

*No Nominations Received*

**General Aviation Operators  
Councillor (1)**

Candidates

ALLDIS, John E

**Staff Classifications  
Councillor (1)**

Candidates

LOCKE, Simon

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

*K. Montgomery*

Kathryn Montgomery  
Returning Officer  
Australian Electoral Commission  
05/06/2018



## DECISION

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

### **The Australian Licenced Aircraft Engineers Association** (E2017/277)

MR ENRIGHT

MELBOURNE, 13 FEBRUARY 2018

*Arrangement for conduct of election.*

[1] On 31 January 2018 The Australian Licenced Aircraft Engineers Association lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Federal President	(1)
Senior Vice-President	(1)
Vice-President	(1)
Federal Secretary	(1)
Assistant Federal Secretary	(1)
Trustee	(2)

Federal Executive Councillors as follows:

Qantas Airways Councillor	(6)
Virgin Australia or its Maintenance and Repair Organisation provider Councillor	(2)
Helicopter Sector Councillor	(1)
Qantas controlled or aligned Regional Airlines Councillor	(1)
Regional Airlines Councillor	(1)
General Aviation Operators Councillor	(1)
Staff Classifications Councillor	(1)

[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 COMMISSIONER

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**From:** Steve Re <trustee1@alaea.asn.au>  
**Sent:** Wednesday, 31 January 2018 10:22 AM  
**To:** ROC - Registered Org Commission  
**Cc:** Federal Secretary  
**Subject:** E2017/277 ALAEA Election for offices PI  
**Attachments:** 20180131\_OCI\_ROC\_E2017-277 Election Statement.pdf

On behalf of Stephen Purvinas – Federal Secretary of the Australian Licenced Aircraft Engineers Association, please find attached the Statement and Prescribed Information For Elections in accordance with Section 189 Fair Work (Registered Organisations) Act 2009 and Regulation 138 Fair Work (Registered Organisations) Regulations 2009.

Regards,

**Stephen Re** | Technical Affairs and Trustee | **Australian Licenced Aircraft Engineers Association**  
[25 Stoney Creek Road, Bexley NSW 2207](#)  
P: [02 9554 9399](tel:0295549399) | F: [02 9554 9699](tel:0295549699)  
e: [trustee1@alaea.asn.au](mailto:trustee1@alaea.asn.au) | w: [www.alaea.asn.au](http://www.alaea.asn.au)

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31 January 2018

E2017/277



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ABN: 84 234 747 620

[regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

**PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009***

I, Stephen Purvinas, being the Federal Secretary of the Australian Licenced Aircraft Engineers Association, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Australian Licenced Aircraft Engineers Association.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. This statement is lodged at least 2 months before nominations open for the election below.

Signed: Stephen Purvinas

Dated: 31 January 2018

## ANNEXURE A

- Elections that are required:

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
<i>Federal</i>	<i>Federal Secretary</i>	<i>1</i>	<i>DVS</i>	<i>Scheduled</i>	<i>Federal Executive Rule 21(2)</i>
	<i>Assistant Federal Secretary</i>	<i>1</i>	<i>DVS</i>	<i>Scheduled</i>	<i>Federal Executive Rule 21(2)</i>
	<i>Federal President</i>	<i>1</i>	<i>DVS</i>	<i>Scheduled</i>	<i>Federal Executive Rule 21(2)</i>
	<i>Senior Vice President</i>	<i>1</i>	<i>DVS</i>	<i>Scheduled</i>	<i>Federal Executive Rule 21(2)</i>
	<i>Vice President</i>	<i>1</i>	<i>DVS</i>	<i>Scheduled</i>	<i>Federal Executive Rule 21(2)</i>
	<i>Trustee</i>	<i>2</i>	<i>DVS</i>	<i>Scheduled</i>	<i>Federal Executive Rule 21(2)</i>
<i>...</i>	<i>Councillor – Qantas Airways</i>	<i>6</i>	<i>DVS</i>	<i>Scheduled</i>	<i>Federal Executive Rule 21(3)(a)</i>
	<i>Councillor – Virgin Australia</i>	<i>2</i>	<i>DVS</i>	<i>Scheduled</i>	<i>Federal Executive Rule 21(3)(b)</i>
	<i>Councillor – Helicopter Sector</i>	<i>1</i>	<i>DVS</i>	<i>Scheduled</i>	<i>Federal Executive Rule 21(3)(c)</i>
	<i>Councillor – Qantas Controlled or aligned Regional Airlines</i>	<i>1</i>	<i>DVS</i>	<i>Scheduled</i>	<i>Federal Executive Rule 21(3)(d)</i>
	<i>Councillor – Regional Airlines</i>	<i>1</i>	<i>DVS</i>	<i>Scheduled</i>	<i>Federal Executive Rule 21(3)(e)</i>
	<i>Councillor – General Aviation Operators and/or airlines other than Qantas controlled or aligned Airlines, Regional airlines or Virgin Australia</i>	<i>1</i>	<i>DVS</i>	<i>Scheduled</i>	<i>Federal Executive Rule 21(3)(f)</i>
	<i>Councillor – Staff Classification</i>	<i>1</i>	<i>DVS</i>	<i>Scheduled</i>	<i>Federal Executive Rule 21(3)(g)</i>

- Important dates:

	<b>Direct Voting System</b>
<b>Nominations OPEN</b>	<i>Nominations will open on a date determined by the Returning Officer. As specified in Rule 23(c),</i>
<b>Nominations CLOSE</b>	<i>Nominations will close on a date determined by the Returning Officer. As specified in Rule 21(4) (d) and Rule 23(c)</i>
<b>Roll of Voters cut off date</b>	<i>15<sup>th</sup> March 2018 (rule 21(1)(a))</i>



9 January 2018

Federal Secretary  
Australian Licenced Aircraft Engineers Association  
Sent via email: [alaea@alaea.asn.au](mailto:alaea@alaea.asn.au)

CC: AEC Returning Officer by email: [industrial.elections@aec.gov.au](mailto:industrial.elections@aec.gov.au)

Dear Federal Secretary,

**Courtesy Letter - Election for offices [E2017/277]**

The rules of the Australian Licenced Aircraft Engineers Association indicate that an election for offices within the organisation is due to commence shortly.

- Executive Officers and Councillors

It appears that nominations for the election for the above-named offices open in April this year.

**Reminder: prescribed information must be lodged**

This is a courtesy letter to remind you of your obligation to lodge information about the election (known as the 'prescribed information') pursuant to sub-sections 189(1) and (2) of the *Fair Work (Registered Organisations) Act 2009* (the 'Act') within the month. Prescribed information must be lodged with the Registered Organisations Commission (the ROC) two months before nominations open for the election.

**If you do NOT agree that an election is due**

If you have a different interpretation for the commencement of the election or the offices due for election under your rules, please let the ROC know on [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au) as soon as possible.

**If you agree that an election is due**

If you agree that an election is due, the prescribed information must be lodged within the month. The prescribed information should contain details of the election as required by regulation 138(1) of the *Fair Work (Registered Organisations) Regulations 2009* (the 'Regulations'), and any subsequent collegiate elections, if that is relevant. A sample of the prescribed information can be found on our website at <http://www.roc.gov.au/resources-and-decisions/fact-sheets-templates-and-webinars>.

The prescribed information should be emailed to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au). When lodging the prescribed information, please quote [E2017/277]

**If you are unable to lodge the prescribed information on time**

If your organisation believes that it will be unable to comply with the prescribed day as set out in the Regulations, it will need to apply to the Commissioner within the month for a later date. Such request will need to set out in detail the reason why your organisation is unable to comply with the requirement. While the Commissioner will consider such an application, there is no assurance that consent to a later day will be allowed.



## **Penalties apply**

**It should be noted Section 189(2) is a civil penalty provision.** Failure for an organisation to lodge prescribed information at least two months before nominations open may result in legal proceedings being issued with the possibility of a pecuniary penalty being imposed upon an officer and/or the organisation.

The ROC intends to continue to provide reminders that an election is due as a courtesy. However failure to receive a reminder from the ROC cannot be relied on as a reason for late, incorrect or non-lodgment of prescribed information. The obligation to lodge prescribed information consistent with the Act and the rules of the organisation rests with the organisation.

## **Insufficient nominations**

If there are insufficient nominations, or if a casual vacancy arises after the conduct of this election, then those unfilled or vacated offices must be filled in accordance the organisation's rules, and in any event in a timely manner.

Should you seek any clarification in relation to the above, please contact the ROC on [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).

Yours faithfully,

**Sam Gallichio**  
**Registered Organisations Commission**