

Peter McGuane  
Executive Secretary  
Civil Air Operations Officers' Association of Australia  
PO Box 394  
PORT MELBOURNE VIC 3207

**Post Election Report For: Civil Air Operations Officers' Association of Australia  
Election E No 2009/133**

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.

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 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**

Civil Air Operations Officers' Association of Australia

**ELECTION/S COVERED IN THIS REPORT**

Election Decision No/s: E2009/133

**RULES**

Rules used for the election: [212v-Incorporates alterations of 7 October 2008]  
[R2008/360]

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

Tony King  
Returning Officer

20 May 2009

GPO Box 4382  
Melbourne VIC 3001

Level 8, Casselden Place  
2 Lonsdale Street  
Melbourne VIC 3000

**Reference:** VIC 2009/088 - S1E6

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

Mr Peter McGuane  
Executive Secretary  
Civil Air Operations Officers' Association of Australia  
214 Graham Street  
PORT MELBOURNE VIC 3207

Dear Mr McGuane

**Civil Air Operations Officers' Association of Australia  
Divisional Delegates  
E2009/133**

I refer to my letter of 1 April 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 now complete.

Yours sincerely

Tony King  
Returning Officer

21 May 2009

cc all uncontested nominees

# **The Civil Air Operations Officers' Association of Australia Divisional Delegates**

## **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.

E2009/133

### **Melbourne Towers and Terminal Control Units**

#### **Divisional Delegate**

Candidate

SCHERP, Dean

### **Adelaide Towers and Terminal Control Units**

#### **Divisional Delegate**

Candidate

BROOKE, Philip

### **Air Traffic Services Management and Operational Support**

#### **Divisional Delegate**

Candidate

MILTON, Graeme

### **Brisbane Centre**

#### **Divisional Delegate**

Candidate

STARR, Shane

### **Cairns Tower and Terminal Control Units**

#### **Divisional Delegate**

Candidate

SULLIVAN, Peter

**FDC / TGO**

**Divisional Delegate**

Candidate

WARE, Phillip John

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  
20 May 2009

*Workplace Relations Act 1996*  
s.189 RAO Schedule - arrangement for conduct of an election

**The Civil Air Operations Officers' Association of Australia**  
(E2009/133)

T. NASSIOS  
DEPUTY INDUSTRIAL REGISTRAR

MELBOURNE, 26 MARCH 2009

*Arrangement for conduct of election*

**DECISION**

[1] On 16 March 2009 The Civil Air Operations Officers' Association of Australia lodged in the Industrial Registry the prescribed information in relation to an election for the following offices:

Divisional Delegate representing the following Divisions:

Air Traffic Services Management and Operational Support  
Adelaide Towers and Terminal Control Units  
Brisbane Centre  
Cairns Tower and Terminal Control Unit  
Melbourne Towers and Terminal Control Units  
FDC/TGO

[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 Schedule 1 of the *Workplace Relations Act 1996*, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



DEPUTY INDUSTRIAL REGISTRAR



PO Box 394  
Port Melbourne VIC 3207  
PH: 03 9647 9100  
Freecall 1800 359 007  
Fax 03 9647 9199  
Email: [civilair@civilair.asn.au](mailto:civilair@civilair.asn.au)  
Website: [www.civilair.asn.au](http://www.civilair.asn.au)

16 March 2009

Industrial Registrar  
Australian Industrial Registry  
Organisations Branch  
GPO Box 1994S  
MELBOURNE VIC 3001  
(sent via email)

Dear Sir,

### **REQUEST FOR CONDUCT OF AN ELECTION**

In accordance with Regulation 136 of the *Workplace Relations Act 1996* and section 189 of Schedule 1B (Registration and Accountability of Organisations), please find attached the relevant papers requesting conduct of elections for Officers of Civil Air.

If further discussions are necessary regarding this request, the Association's Industrial Officer, Jane Ponton, has been delegated responsibility (Phone 03. 9647 9100) and will be available to assist.

Yours faithfully,

Peter McGuane  
EXECUTIVE SECRETARY



## **WORKPLACE RELATIONS ACT 1996**

In the matter of statement and notice of prescribed information under Regulation 136:

### **STATEMENT**

I, ROBERT MASON, Air Traffic Controller, of 214 Graham Street, Port Melbourne, in the State of Victoria, do hereby solemnly and sincerely declare;

1. **THAT** I am the Federal President of The Civil Air Operations Officers' Association of Australia.
2. **THAT** I am authorised to lodge the following prescribed information concerning forthcoming elections on behalf of the Association.
3. **THAT** I confirm that the following information is being lodged under subsection 189(1) of the RAO Schedule.



Robert Mason  
PRESIDENT, Civil Air Operations Officers Association of Australia

Dated: 16 March 2009



## NOTICE

### *Offices/Positions*

A	Air Traffic Services Management and Operational Support Divisional Delegate
A	Adelaide Towers and TCU Divisional Delegate
A	Brisbane Centre Divisional Delegate
A	Cairns Tower and TCU Divisional Delegate
A	Melbourne Towers and TCU Divisional Delegate
A	FDC/TGO Divisional Delegate

### ***Reasons for election***

Elections for the positions marked “A” are required under Civil Air Rule 34(f), which states “*Elections for Delegates representing the following divisions shall be conducted each odd numbered year...*”

### ***Elected by:***

For the position of Air Traffic Services Management and Operational Support Divisional Delegate, the electorate for the direct voting system is the Air Traffic Services Management and Operational Support Division.

For the position of Adelaide Towers and TCU Divisional Delegate, the electorate for the direct voting system is the Adelaide Towers and TCU Division.

For the position of Brisbane Centre Divisional Delegate, the electorate for the direct voting system is the Brisbane Centre Division.

For the position of Cairns Tower and TCU Divisional Delegate, the electorate for the direct voting system is the Cairns Tower and TCU Division.

For the position of Melbourne Towers and TCU Divisional Delegate, the electorate for the direct voting system is the Melbourne Towers and TCU Division.

For the position of FDC/TGO Divisional Delegate, the electorate for the direct voting system is the FDC/TGO Division.

### ***Nominations open:***

Nominations open in accordance with a timetable provided by the Returning Officer, delegated by the Australian Electoral Commission (AEC).

As per Civil Air Rule 35(d)(1)(a), “*The returning officer shall ...not later than the first day of May in any year, call for nominations for the Divisional Delegate positions becoming vacant, pursuant to rule 34 of these rules, on the thirtieth (30th) day of June in that year; by insertion of notices in journals and/or circulars to members' employment facilities, as the returning officer deems appropriate*”

### ***Nominations close:***

As per Civil Air Rule 33(e), “*All nominations for elections, of the position of Divisional Delegate ... shall be received by the returning officer no later than the fourteenth (14th) day of May in the year in which the position becomes vacant.*”

### ***Cut off date for roll:***

As per Civil Air Rule 35(g), “*The roll of voters for any ballot is to be closed on the seventh day before the day on which nominations for the election open*”.