

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

DECLARATION OF RESULTS FOR UNCONTESTED AND CONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the *Fair Work (Registered Organisations) Act 2009*.

E2011/2576

FDC / SSO

Ballot papers issued	86
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	86
Ballot papers / envelopes returned for scrutiny	45
Less ballot papers / envelopes rejected at preliminary scrutiny	0
Adjusting Balance	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	45
Percentage of ballot papers returned to number issued	52%
Ballot papers returned as unclaimed mail	4
Ballot papers not returned	37

Divisional Delegate

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
BARWICK, Gregory	20	20
WARE, Phillip	25	25
Total votes	45	45
Formal ballot papers	45	45
Informal ballot papers	0	0

I declare Phillip Ware elected.

Melbourne Towers and Terminal Control Units

Divisional Delegate

Candidate

KERR, Timothy

I declare Timothy Kerr elected.

Adelaide Towers and Terminal Control Units

Divisional Delegate

Candidate

BROOKE, Philip

I declare Philip Brooke elected.

Air Traffic Services Management and Operational Support

Divisional Delegate

No nomination was received

Brisbane Centre
Divisional Delegate

Candidate

MASON, Daniel

I declare Daniel Mason elected.

Cairns Tower and Terminal Control Units
Divisional Delegate

Candidate

SULLIVAN, Peter

I declare Peter Sullivan elected.

Jeff Webb
Returning Officer
Australian Electoral Commission
15 July 2011

Mr 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 E2011/2576**

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

25 July 2011

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Civil Air Operations Officers' Association of Australia

ELECTION/S COVERED IN THIS REPORT

Election Decision No: E2011/2576

RULES

Rules used for the election: 212v: Incorporates alterations of 19 January 2010
(R2009/10087)

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: 86

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, Nil
and action taken by AEC:

Other irregularities identified, and action taken: Nil

ATTACHMENTS

Declaration of Results

Jeff Webb
Returning Officer

25 July 2011



FAIR WORK
AUSTRALIA

DECISION

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

The Civil Air Operations Officers' Association of Australia
(E2011/2576)

T. NASSIOS

MELBOURNE, 9 MAY 2011

Arrangement for conduct of election.

[1] On 6 May 2011 The Civil Air Operations Officers' Association of Australia lodged with Fair Work Australia the prescribed information in relation to an election for the following offices:

Divisional Delegates 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/SSO

[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
FAIR WORK AUSTRALIA

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6 May 2011

Industrial Registrar
Fair Work Australia
GPO Box 1994
MELBOURNE VIC 3001
(sent via email)

Dear Sir,

URGENT REQUEST FOR CONDUCT OF AN ELECTION

In accordance with the *Fair Work Act 2009* and section 189 of the *Fair Work (Registered Organisations) Act 2009*, please find attached the relevant papers requesting conduct of elections for Delegates 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



FAIR WORK ACT 2009

In the matter of statement and notice of prescribed information under *Fair Work (Registered Organisations) Act 2009*:

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: 6 May 2011

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/SSO 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/SSO Divisional Delegate, the electorate for the direct voting system is the FDC/SSO 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*”.