



17 November 2015

Mr Daryl Hickey
President
Civil Air Operations Officers' Association of Australia, The
civilair@civilair.asn.au

Dear Mr Hickey,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Commission a declaration of results for the election [E2015/160]. 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 Civil Air Operations Officers' Association of Australia, 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. 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>
...							

Ms Jane Ponton
Industrial Officer
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
Scheduled Election E2015/160**

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 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 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 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.

Michael Pryor
Returning Officer

21 August 2015

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: E2015/160

RULES

Rules used for the election: 212V-Incorporates alterations of 05/05/2015
[R2015/85]
(replaces 10/2/2015 [R2014/214] version)

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: 1062

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



Michael Pryor
Returning Officer

21 August 2015

Civil Air Operations Officers' Association of Australia

Declaration of Results

E2015/160

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

Total number of names on the roll of voters	1062
Ballot papers issued	1062
Replacement ballot papers issued	0
Total Ballot Papers Issued	1062
Ballot papers / envelopes returned for scrutiny	376
Less ballot papers / envelopes rejected at preliminary scrutiny	0
Total Ballot Papers Admitted to Scrutiny	376
Percentage of ballot papers returned to number issued	35.4%
Ballot papers returned as unclaimed mail	4
Ballot papers not returned	682

Vice-President (Communication)

<u>Candidates</u>	<u>Votes</u>
SHALLIES, Scott	264
MEYER, Leigh	111
Formal ballot papers	375
Informal ballot papers	1

I declare Scott Shallies elected.

Vice-President (Professional)

<u>Candidates</u>	<u>Votes</u>
MILLER, Iain	133
BUCKHAM, Matt	241
Formal ballot papers	374
Informal ballot papers	2

I declare Matt Buckham elected.

M. Pryor

Michael Pryor
Returning Officer
Australian Electoral Commission
19 August 2015



DECISION

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

The Civil Air Operations Officers' Association of Australia (E2015/160)

MR ENRIGHT

MELBOURNE, 4 JUNE 2015

Arrangement for conduct of election.

[1] On 12 May 2015 The Civil Air Operations Officers' Association of Australia lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices due to insufficient nominations in E2014/274:

Vice President Communication
Vice President Professional

[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

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12 May 2015

General Manager
Fair Work Commission
GPO Box 1994
MELBOURNE VIC 3001
(sent via email)

Dear Sir,

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 a casual vacancy election.

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,

A handwritten signature in black ink that reads 'Peter McGuane'.

Peter McGuane
EXECUTIVE SECRETARY

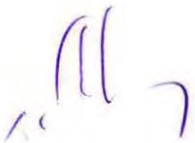
FAIR WORK ACT 2009

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

STATEMENT

I, DARYL HICKEY, 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(3) of the *Fair Work (Registered Organisations) Act 2009*.



Daryl Hickey

PRESIDENT, Civil Air Operations Officers Association of Australia

Dated: 12 May 2015

NOTICE

Offices/Positions:

A	Vice President Communication
A	Vice President Professional

Reasons for election:

Elections for the positions marked “A” are required because the positions were not filled in Civil Air election E2014/274.

Elected by:

For the casual vacancies “A”, , the electorate for the direct voting system is the entire membership.

Nominations open and close:

As these are casual vacancies, nominations open and close in accordance with a timetable provided by the Returning Officer, delegated by the Australian Electoral Commission (AEC).

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”.