



23 January 2017

Mr Peter McGuane  
Civil Air Operations Officers' Association of Australia, The  
peter.mcguane@civilair.asn.au

Dear Mr McGuane,

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

The Australian Electoral Commission has provided the Fair Work Commission (the Commission) a declaration of results for the election of uncontested/contested offices for Regional District Divisional Delegate (1) [E2016/214]. 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 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. A list of approved training providers is attached.

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.

#### **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 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;

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Melbourne VIC 3001

Telephone:  
Email : [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au)  
Internet : [www.fwc.gov.au](http://www.fwc.gov.au)

- 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

Debbie Ball  
Regulatory Compliance Branch

# List of approved governance training packages

Approved training material	Provider	Contact person	Contact details
AHAWA Governance and Financial Training	Australian Hotels Association (WA Branch)	Mr Bradley Woods	(08) 9321 7701 <a href="mailto:ceo@ahawa.asn.au">ceo@ahawa.asn.au</a>
APTIA Governance and Financial Training Package	Australian Public Transport Industrial Association	Mr Ian MacDonald	(02) 6247 5900 <a href="mailto:imacdonald@bic.asn.au">imacdonald@bic.asn.au</a>
Handbook for Councillors of the Australian Industry Group	Australian Industry Group (for provision to Ai Group Councillors only. Not for external parties)	Ms Jenifer Leuba	(03) 9867 0174 <a href="mailto:jenifer.leuba@aigroup.asn.au">jenifer.leuba@aigroup.asn.au</a>
The Australian Workers' Union Professional Training Program Financial Duties of Officers	Australian Workers' Union	General enquiries	(02) 8005 3333 <a href="mailto:members@nat.awu.net.au">members@nat.awu.net.au</a>
In-Boardroom: Governance and Finance for Registered Organisations	Australian Institute of Company Directors	Various	<a href="#">AICD state-based contacts</a>
ACTU s.154C Training— Union Governance	Australian Council of Trade Unions (ACTU)	Organising Centre Enquiries	(03) 9664 7360 <a href="mailto:orgcentre@actu.org.au">orgcentre@actu.org.au</a>
Governance of Registered Organisations	Weston Woodley & Robertson Chartered Accountants	Mr Dennis Robertson	(02) 9264 9144 <a href="mailto:dennisr@wwr.com.au">dennisr@wwr.com.au</a>
Governance and Financial Accountability for Registered Organisations	Local Government New South Wales	Ms Sarah Artist	(02) 9242 4182 <a href="mailto:learning@lgnsw.org.au">learning@lgnsw.org.au</a>
Australian Hotels Association Financial Management Training	Australian Hotels Association (for provision to AHA officers only. Not for external parties)	Mr Stephen Ferguson	(02) 6273 4007 <a href="mailto:ceo@aha.org.au">ceo@aha.org.au</a>
Governance and Finance Training for Registered Organisations	Dickson Wohlsen Pty Ltd, trading as CTA Training	Mr Tom Streater	(07) 3878 9355 <a href="mailto:tom@dws.net.au">tom@dws.net.au</a>
The Registered Organisation Training Act for Organisations and Boards	Vibe Public Relations Consultancy	Ms Anne Andrews	0400 021 679 <a href="mailto:vibeprctraining@bigpond.com">vibeprctraining@bigpond.com</a>
Training Course for Registered Organisations - Governance and Finance	Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries and Racecourse, Public Authorities, Water Boards Union	Mr Andrew Johnson	<a href="mailto:andrew.johnson@lgrceu.org">andrew.johnson@lgrceu.org</a>
MTAQ Registered Organisation Governance Course	Motor Trades Association of Queensland Industrial Organisation of Employers	Mr Paul Murray	<a href="mailto:paulm@mtaq.com.au">paulm@mtaq.com.au</a>

**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].<sup>1</sup>
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:<sup>2</sup>
  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]:<sup>3</sup>
  - COMMENCED operation:
    1. *[include name of each new branch]*
    2. ...
  - CEASED operation:
    1. *[include name of each closed 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](mailto:orgs@fwc.gov.au).]*

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<sup>1</sup> s.230(1)(d); reg.147(d)

<sup>2</sup> s.230(1)(d); reg.147(a) & (d)

<sup>3</sup> 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	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder	Occupation of <u>New</u> Office Holder
National	1.1.2014	Secretary	Full Name	Full Name	c/- the Registered Organisation, postal address of Registered Organisation	Paid official
	25.12.2013	President	vacant	Full Name	As above	mechanic
...						
NSW	1.1.2014 (resigned) 7.1.2014 (appointed)	President	Full Name	Full Name	c/- the Branch, postal address of the Branch	mechanic
		Committee of Management Member	Full Name	Full Name	As above	mechanic
		Treasurer	Full Name	vacant	vacant	vacant
...						



Fair Work (Registered Organisations) Act 2009

## POST ELECTION REPORT

**Client:** The Civil Air Operations Officers' Association of Australia

**Contact details:** Mr Tom McRobert  
President  
The Civil Air Operations Officers'  
Association of Australia  
PO Box 394  
Port Melbourne VIC 3207

**Email:** [civilair@civilair.asn.au](mailto:civilair@civilair.asn.au)  
**Tel:** 03 9647 9100

**FWC contact officer:** Rebecca Lee

**Email:** [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au)

### ELECTIONS COVERED IN THIS REPORT

*Election Decision No/s:* E2016/214

### RULES

*Rules used for elections Rule ID:* [212V-Incorporates alterations of 03/06/2016 [R2016/77]  
(replaces 29/10/2015 [R2015/203] version)

*Rules difficult to apply/interpret:* None

*Model Rule reference (if any):* N/A

### ROLL OF VOTERS

Total number of voters on the Roll: 119  
Number of apparent workplace addresses: N/A  
Number of non-current address: N/A

### ALLEGATIONS OF IRREGULARITIES RECEIVED

Details of written allegations of irregularities, and action taken by AEC: N/A

Other irregularities identified, and action taken: N/A

### ATTACHMENTS

A: Declaration of results for contested and uncontested offices: Casual Vacancy

Ishtiaq Ahmed  
Returning Officer  
20 January 2017

# The Civil Air Operations Officers' Association of Australia Vacancy Election 2016

## Declaration of Results for Contested and Uncontested Offices

### E2016/214

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.

#### Regional District Divisional Delegate (1)

Total number of names on the roll of voters	119
Ballot papers issued	119
Replacement ballot papers issued	0
Total Ballot Papers Issued	119
Ballot papers / envelopes returned for scrutiny	47
Less ballot papers / envelopes rejected at preliminary scrutiny	2
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	45
Percentage of ballot papers returned to number issued	39%

<u>Candidates</u>	<u>Votes</u>
MURDOCH, Peter Allan	25
RITT, Frank	20
Total votes	45
Formal ballot papers	45
Informal ballot papers	0

I declare Peter Allan Murdoch elected.

#### Sydney Towers and Terminal Control Units Divisional Delegate (1)

##### Candidates

BOULTON, Matt

I declare Matt Boulton elected.



Ishtiaq Ahmed  
Returning Officer  
Australian Electoral Commission

18 January 2017



## DECISION

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

### **The Civil Air Operations Officers' Association of Australia** (E2016/214)

MR ENRIGHT

MELBOURNE, 14 SEPTEMBER 2016

*Arrangement for conduct of election.*

[1] On 26 August 2016 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 received in a previous election [E2016/92]:

Sydney Towers and Terminal Control Units Divisional Delegate  
Regional District Divisional Delegate

[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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26 August 2016

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

Dear Madam,

### **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, TOM MCROBERT, 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*.



Tom McRobert  
PRESIDENT

Dated: 26 August 2016

## NOTICE

### **Offices/Positions:**

A	Sydney Towers and Terminal Control Units Divisional Delegate
B	Regional District Delegate

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

Elections for the positions marked “A” and “B” are required because the positions were not filled in Civil Air election E2016/92.

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

For the position of Sydney Towers and TCU (“A”), the electorate for the direct voting system is the Sydney Towers and TCU Division of Civil Air.

For the position of Regional District (“B”), the electorate for the direct voting system is the Regional District Division of Civil Air.

### ***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”.