



8 January 2020

Warwick Renton-Gibb
General Manager
VIPA
Sent via email: Warwick.Renton@vipa.asn.au

Dear Warwick Renton-Gibb

Organisation must respond to the post-election report of the Australian Electoral Commission: E2019/90

On 18/12/2019 the Registered Organisations Commission (the ROC) received a post election report from the Australian Electoral Commission (AEC) for election E2019/90. The AEC will have also provided the report to the organisation under section 197 of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The report identifies rules that were difficult to interpret or apply, in particular Rules 39(l)(ii), 39(c), 39(h)(iii) and 39(g)(ii)(7). This letter serves as a reminder of the obligations imposed on the organisation or branch as a consequence of the AEC's report. If a response has already been sent to the AEC and made available to all members please disregard this letter.

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 regs 141(4) and (5)).

A written response must be provided to the AEC

A written response must be provided to the AEC within 30 days of receipt of the report. The organisation's response must include whether the organisation or branch intends to take action and if so what action the organisation or branch intends to take (s198(2)).

Extract of report must be made available to members

The organisation or branch must make the section of the report relating to the difficult rules available to its members (s198(3)). This extract from the report must be made available to the members before or at the same time as the organisation's response is made available to members.

Written response must be made available to members

A copy of the organisation's response to the AEC must be made available to members either:

- within 30 days after the response is given to the AEC, or
- published in the next edition of the organisation or branch journal (s198(5))

Subsection 198(6) and regulation 142 prescribe ways in which the relevant extract and the copy of the response can be made available to members. These do not limit the ways in which they can be made available to members. The organisation will comply if it does all of the following:-

- publish the report extract and the copy of the response in the next edition of the organisation or branch's journal; and
- within 30 days of giving the response to the AEC:
 - lodges with the ROC a copy of the relevant extract and response, together with a declaration that a copy will be provided to any member who so requests; and
 - give notice in the next edition of the organisation or branch's journal, or an appropriate newspaper, that a copy of the relevant extract and response are available on request to each member free of charge; and
- publish the relevant extract on the website within 14 days after receiving the report, and publish the response on the website within 14 days of giving the response to the AEC (reg 142(2)).

Penalties may apply

If the organisation or branch does not:

- respond to the AEC within 30 days,
- make the extract of the report relating to the rules available to members no later than the organisation's response is made available to members, or
- make the organisation's response available to members within 30 days or in the next edition of the journal,

the organisation may face penalties under the RO Act. Each requirement listed above is a civil penalty provision that may result in fines for the organisation

As noted above, if the response and report have already been made available to members and the AEC, please disregard this letter. If you have any questions in relation to these obligations please contact the ROC for assistance by email to regorgs@roc.gov.au.

If the organisation or branch decides to alter its rules in response to the AEC's report

If the organisation or branch decides to alter its rules in response to the AEC's report, the ROC is NOT able to provide advice and assistance regarding draft alterations or the processes required to make the alterations. Rule alterations remain a function of the Fair Work Commission.

Yours sincerely

Registered Organisations Commission

18 December 2019

Post-election report

VIPA

Scheduled election

E2019/90

Contents

Election(s) Covered in this Report	3
Rules.....	3
Roll of Voters	4
Irregularities.....	4
Other Matters	5
Signed	8
Attachments	9
A. Declaration of Results for Uncontested Offices – VIPA E2019/90 Stage 1.....	9
B. Declaration of Results for Uncontested Offices – VIPA E2019/90 Stage 2.....	9

Election(s) Covered in this Report

Organisation: VIPA
Election: Scheduled
Election Decision No/s: E2019/90

Rules

Rules used for the election: [012Q: Incorporates alterations of 16 March 018[R2018/3]
Replaces rulebook dated 6 September 2017 [R2017/124]

Rules difficult to apply/interpret: Yes
Model Rule reference (if any): 7.1 Nominations
For more details see the Model Rules on the AEC website:

https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections

Contradictory rules regarding the close of roll and eligibility to nominate in an election and the roll of voters for any election.

Roll preparation

Rule 39(l)(ii) The roll of voters for any ballot is to be closed 7 days before the day on which nominations for the election open.

Definitions

Rule 39(c) "eligible Member" means a person who was a financial Member of the Association 30 days before the starting time for nominations;

"voter" means a person--

- (a) who is an eligible Member; and
- (b) whose name is on the roll under Sub Rule (l);

Nomination procedure

Rule 39(h)(iii) The Manager must accept a nomination if—
(2) the nominee is an eligible Member.

Calling for nominations

Rule 39(g)(ii)(7) that only a person who was a financial Member 30 days before the opening time for nominations may vote in the election; and

Model rule

7.1 Each member's eligibility to participate as a nominee or nominator shall be determined as at the close of nominations.

12 The composition of the roll of voters for each election depends on the rules covering eligibility to vote. Usually the rules will provide that a financial member will be entitled to vote in an election. Section 143 of the Act requires the Rules to provide that the roll of voters for a direct voting system closes on a day no earlier than 30 days and no later than 7 days before the day on which nominations for the election open. In these Model Rules that day is referred to as the Close of Roll

Day. Section 143(6) provides that the only alterations that can be made to the roll of voters after the close of roll day are to correct errors such as the adding of persons who were inadvertently omitted from the roll of voters or the deletion of persons who were inadvertently included on the roll of voters.

Recommendation

Create a consistent period for eligibility to vote in the election, eligibility to nominate and close of roll for any election. This could be 7 days or 30 days but should be consistent.

Roll of Voters

As there were no contested offices, no Roll of Voters was required.

Irregularities

Details of written allegations of irregularities, and action taken by AEC: None

Other irregularities identified, and action taken: None

Other Matters

Returning Officer actions required (Section 193): No
Details: N/A

Rule 5 – Eligibility of Members

The following persons shall be eligible for membership of the Association:

- a) All persons who are employed as pilots on airline services within, or extending beyond, the Commonwealth of Australia, by:
 - i) Virgin Blue Airlines Pty Ltd;
 - ii) Virgin Australia Holdings Pty Ltd;
 - iii) Virgin Blue Holdings Limited;
 - iv) Virgin Australia Airlines Pty Ltd;
 - v) Virgin Blue International (Holdings) Pty Ltd;
 - vi) Virgin Blue International Airlines Pty Ltd;
 - vii) V Australia Airlines Pty Ltd;
 - viii) Express Blue Air Freight Pty Ltd;
 - ix) Toll Holdings Limited;
 - x) any successor, transmittee or assignee (whether immediate or not) of the whole or a part of the business of any company or entity referred to in any of the preceding Sub-paragraphs i) – ix) above; and/or

Review the names of the organisation/companies referred to above and amend as necessary.

Committee of management and calculation of representatives

Rule 23 – Committee of Management

(b) For the purposes of electing the Committee of Management, all members will be grouped into individual electorates based on their employer and the fleet of aircraft to which they are assigned as of July 1 of the year of the election.

The rules of the organisation require that all members will be grouped into individual electorates based on their employer and the fleet of aircraft to which they are assigned as of July 1 of the year of the election. Due to the timing of the Prescribed information the details of the electorates to be included in the decision were incorrect, and left some members unrepresented.

Recommendation: Include all possible committee of management member electorates in the prescribed information with the number required to be determined in accordance with Rule 23(c).

Or alternatively:

Delay the election and provision of the proscribed information to the Registered Organisations Commission until after the 1 July of an election year to ensure that all groups were represented. This

would mean a delay to the timing of the Annual General Meeting (AGM) to allow sufficient time to conduct and complete the election before the AGM. Rule 39(b) indicates the election of the committee of management will be declared at the AGM.

(c) The number of Committee of Management members will be as per the table below.

Number of Members in the electorate	Number of voting Committee of Management Positions
<u>0-19</u>	1
20-49	2
50-99	3
100-149	4
150-199	5
200-249	6
250-299	7
300 or more	7 plus 1 additional CoM member for every full 100 members over 300 pilots in the Electorate

Where there are zero (0) members of an electorate the formula in the above table indicates that the electorate is entitled to 1 committee of management representative.

Recommendation: Number of members in the electorate 0-19 should be amended to 1-19.

In the current decision E2019/90, the Tigerair electorate included 2 types of aircraft A320 and B737 to which a member was assigned, which does not comply with the organisations rules.

Recommendation: This should be separated into 2 separate electorates to comply with the organisations current rules.

Means of notification of election – nominations opening

Rule 39 (g) Calling for Nominations

- (i) The Manager of the election must call for nominations for the offices to be filled by notice given to Members in 1 of the following ways—
 - (1) by post to each Member at the address recorded in the Members register;
 - (2) if the Association publishes a journal or newsletter that it gives to its Members free of charge, by advertisement in the journal or newsletter;
 - (3) in a daily newspaper circulating in the area where the Association's Members live or work.

Recommendation: include in the above rule an option to include 'by email or other electronic means of notification'. Where an email is available and is provided by the organisation this could be used, thus reducing the expense for postage, or advertising in multiple newspapers, and additionally providing a more efficient, effective and immediate notification of the event.

Receipt of nominations

Rule 39(g)(ii)(5) that nominations for office must be written, signed by the nominee and given to the Manager before nominations close; and

Rule 39(h)(i) A nomination for office must be written, signed by the nominee and given to the Manager of the election before nominations close.

Recommendation

Replace given to with received by the Returning Officer before nominations close.

The Manager

The term 'the Manager' of the election has been use throughout the rules, but the office would be better described as the Returning Officer.

Period for the ballot to remain open

Rule 39(p)(ii) Voting material must be posted to each voter—

- (1) in a sealed envelope to the voter's address on the roll; and
- (2) as soon as practicable, but no later than 2 days before the starting day of the ballot.

Rule 39(s) How long ballot is open

A ballot must remain open for--

- (i) at least 21 days; and
- (ii) no longer than 49 days.

Recommendation

Increase the minimum number of days the ballot should remain open, rather than posting the voting material before the ballot opens.

Ballot to remain open for: at least 23 days

Preliminary Scrutiny of declaration envelopes

Rule 39(z)(ii) The Manager must then—

- (1) unseal the ballot box; and
- (2) take out the return envelopes; and

- (3) open each return envelope and take out the declaration envelope; and
- (4) remove the flap or label containing the declaration from the declaration envelope, examine the declaration and mark off the voter's name on the roll; and
- (5) check the ballot number on the declaration against the ballot number marked against the voter's name on the roll; and
- (6) ensure the declaration is signed.

Model Rule 17.2 Preliminary scrutiny of declaration envelopes

- 17.2.1 The returning officer shall conduct a preliminary scrutiny of returned declaration envelopes to ensure that only one returned envelope from each eligible voter is admitted to the count. The returning officer may commence the preliminary scrutiny prior to the close of the ballot.

Recommendation

Amend the rules to allow for preliminary scrutiny of the declaration envelopes prior to the close of the ballot. i.e. examine the returned envelope and determine if voter has signed the declaration, and allow the mark back against the roll of voters. Thus allowing the scrutiny to commence soon after the ballot close in the event a ballot is required.

Signed



Ann Dougan
Returning Officer
Australian Electoral Commission
E: vicelections@aec.gov.au
P: 03 9285 7161
18 December 2019

Attachments

- A. Declaration of Results for Uncontested Offices – VIPA E2019/90 Stage 1
- B. Declaration of Results for Uncontested Offices – VIPA E2019/90 Stage 2



2 December 2019

Warwick Renton-Gibb
General Manager
VIPA
Sent via email: Warwick.Renton@vipa.asn.au

Dear Warwick Renton-Gibb,

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 stage 2 uncontested offices in matter E2019/90. 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, as soon as practicable after receiving the post-election report, 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 VIPA 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.

Yours faithfully,

Christine Hibberd
Registered Organisations Commission

VIPA

DECLARATION OF RESULTS - E2019/90 - Stage 2 Uncontested Offices

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:

Committee of Management

President (1)

Candidates

LYONS John

Vice President (1)

Candidates

MACDONALD Cam

Secretary (1)

Candidates

PURTON Mathew

Treasurer (1)

Candidates

MURDOCK Shane

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



Ann Dougan
Returning Officer
Telephone: 03 9285 7161
Email: vicelections@aec.gov.au
22 November 2019



30 September 2019

Warwick Renton-Gibb
General Manager
VIPA
Sent via email: Warwick.RentonGibb@vipa.asn.au

Dear Warwick Renton-Gibb,

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 offices in matter E2019/90. 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, as soon as practicable after receiving the post-election report, 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 VIPA 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.

Yours faithfully,

Christine Hibberd
Registered Organisations Commission

VIPA
DECLARATION OF RESULTS - E2019/90 - Stage 1
Uncontested Offices

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:

Virgin Australia Regional Airlines (VARA)

Committee of Management Member - ATR-72 (1)

Candidates

No Nominations Received

Committee of Management Member - F100 (1)

Candidates

No Nominations Received

Committee of Management Member - A320 (1)

Candidates

No Nominations Received

Virgin Australia Airlines Pty Ltd (VAA)

Committee of Management Member - B737 (7)

Candidates

BESTER Matthew

LYONS John Stewart

MACDONALD Cam

MOORE Adrian

MURDOCK Morris Shane

Committee of Management Member - B777 (3)

Candidates

PURTON Mathew

Committee of Management Member - A330 (3)

Candidates

EIKLI Eivind

Tigerair

Committee of Management Member - A320/B737 (2)

Candidates

ANTAL Sandor

BREWSTER Warren

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



Ann Dougan
Returning Officer
25 September 2019





AMENDING DECISION

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

VIPA

(E2019/90)

MR ENRIGHT

MELBOURNE, 29 JULY 2019

Arrangement for conduct of election.

[1] The decision issued by the Delegate of the Registered Organisations Commissioner on 27 June 2019, [[2019] ROCD 111] is amended as follows:

By inserting under the heading ‘Committee of Management Members from each of the following electorates (number to be determined in accordance with the rules):’ and under the sub-heading ‘Virgin Australia Regional Airlines (VARA)’ in addition to ‘ATR-72’, the following additional electorates:

F100
A320

[2] The reason for the amendment is that both the original and previously amended prescribed information, which informed the original Decision on 27 June 2019, omitted the above two electorates.

[3] I am advised by VIPA that at the time of preparing the amended prescribed information on 14 June 2019, it had determined that it did not have any members from these electorates.

[4] Under VIPA’s Rule 23(b) the reference date for the electorate calculation is 1 July. Subsequent to the issue of [[2019] ROCD 111] on 27 June 2019, it was identified that as at 1 July 2019 VIPA had members from the above two electorates which had not been reflected in the 14 June 2019 amended prescribed information or in the original Decision on 27 June 2019. To address this, on 25 July 2019 VIPA lodged further amended prescribed information which informs this Amending Decision.



DELEGATE OF THE COMMISSIONER

Printed by authority of the Commonwealth Government Printer

PR351433

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, John Stewart Lyons, being the President of VIPA make the following statement:

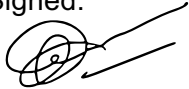
1. I am authorised to sign this statement containing prescribed information for VIPA.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. No rule alterations are pending that will impact the election.
5. This statement **IS** lodged at least 2 months before nominations open for the elections in Annexure A.
6. The number of elected representatives is calculated on a formula defined in the rules.
 - a. The rule number which specifies the formula is Rule 23.
 - b. The formula for the number of Committee of Management members will be as per the table below (Rule 23 (c)):

Number of Members in the electorate	Number of voting Committee of Management Positions
0-19	1
20-49	2
50-99	3
100-149	4
150-199	5
200-249	6
250-299	7
300 or more	7 plus 1 additional CoM member for every full 100 members over 300 pilots in the Electorate

- c. The information for calculating the Number of Committee of Management Members to be elected from each employer and type of aircraft will be determined in accordance with Rule 23 (c).

In accordance with Rule 23(b), the relevant date for this information is 1 July 2019.

Signed:

A handwritten signature in black ink, consisting of a circular scribble followed by two long, sweeping horizontal strokes.

Dated: 25 July 2019

NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@roc.gov.au.

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
For the election of officers					
N/A	Executive - President	1	Collegiate electoral system	Scheduled	Committee of Management (rule 40 (b))
N/A	Executive- Vice President	1	Collegiate electoral system	Scheduled	Committee of Management (rule 40 (b))
N/A	Executive - Secretary	1	Collegiate electoral system	Scheduled	Committee of Management (rule 40 (b))
N/A	Executive - Treasurer	1	Collegiate electoral system	Scheduled	Committee of Management (rule 40 (b))
N/A	Committee of Management Member	To be determined in accordance with Rule 23(c)	Direct Voting System	Scheduled	VARA (Virgin Australia Regional Airlines) ATR-72 Pilot Representative
N/A	Committee of Management Member	To be determined in accordance with Rule 23(c)	Direct Voting System	Scheduled	VAA (Virgin Australia Airlines Pty Ltd) B737 Pilot Representative
N/A	Committee of Management Member	To be determined in accordance with Rule 23(c)	Direct Voting System	Scheduled	VAA (Virgin Australia Airlines Pty Ltd) B777 Pilot Representative

N/A	Committee of Management Member	To be determined in accordance with Rule 23(c)	Direct Voting System	Scheduled	VAA (Virgin Australia Airlines Pty Ltd) A330 Pilot Representative
N/A	Committee of Management Member	To be determined in accordance with Rule 23(c)	Direct Voting System	Scheduled	Tigerair A320/B737 Pilot Representative
N/A	Committee of Management Member	To be determined in accordance with Rule 23(c)	Direct Voting System	Scheduled	VARA (Virgin Australia Regional Airlines) F100 Pilot Representative
N/A	Committee of Management Member	To be determined in accordance with Rule 23(c)	Direct Voting System	Scheduled	VARA (Virgin Australia Regional Airlines) A320 Pilot Representative

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	Nominations open on midday of the date as determined by the manager of election pursuant to Rule 39(e)(i) & (iii).	Upon the election of the Committee of Management in accordance with Rule 40 (b)
Nominations CLOSE	Pursuant to rule 39(e)(ii) the closing day for nominations date as determined by the Manager of the election, which is a date at least 28 days after notice of the election.	Prior to the first meeting of the Committee of Management next following the election of Members of the Committee of Management (for the purposes of this Rule “the Meeting”) Rule 40 (d)
Roll of Voters cut off date	The roll closes on the date as prescribed by Rule 39(l)(ii), being 7 days before the day on which nominations for the election open.	N/A



DECISION

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

VIPA

(E2019/90)

MR ENRIGHT

MELBOURNE, 27 JUNE 2019

Arrangement for conduct of election.

[1] On 31 May 2019 and 14 June 2019 VIPA lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Committee of Management Members from each of the following electorates (number to be determined in accordance with the rules):

Virgin Australia Regional Airlines (VARA)

ATR-72

Virgin Australia Airlines Pty Ltd (VAA)

B737

B777

A330

Tigerair

A320/B737

President

Vice President

Secretary

Treasurer

[2] The initial prescribed information, lodged on 31 May 2019 had listed the Committee of Management Members as non-office positions, to be elected under section 187 of the *Fair Work (Registered Organisations) Act 2009*. This was a departure from past elections. Accordingly, the Registered Organisations Commission requested VIPA review the 31 May 2019 prescribed information.

[3] On 14 June 2019 VIPA lodged amended prescribed information which stated the Committee of Management Members were ‘officers’ and requested an election for those positions under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009*. I am satisfied that each of the Committee of Management Members are offices within the meaning of section 9 of the *Fair Work (Registered Organisations) Act 2009* as described by VIPA in the amended prescribed information.

[4] 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

Printed by authority of the Commonwealth Government Printer

PR351387

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, John Stewart Lyons, being the President of VIPA make the following statement:

1. I am authorised to sign this statement containing prescribed information for VIPA.
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. No rule alterations are pending that will impact the election.
5. This statement **IS** lodged at least 2 months before nominations open for the elections in Annexure A.
6. The number of elected representatives is calculated on a formula defined in the rules.
 - a. The rule number which specifies the formula is Rule 23.
 - b. The formula for the number of Committee of Management members will be as per the table below (Rule 23 (c)):

Number of Members in the electorate	Number of voting Committee of Management Positions
0-19	1
20-49	2
50-99	3
100-149	4
150-199	5
200-249	6
250-299	7
300 or more	7 plus 1 additional CoM member for every full 100 members over 300 pilots in the Electorate

- c. The information for calculating the Number of Committee of Management Members to be elected from each employer and type of aircraft will be determined in accordance with Rule 23 (c).

In accordance with Rule 23(b), the relevant date for this information is 1 July 2019.

Signed: 

Dated: 14 June 2019

NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@roc.gov.au.

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
For the election of officers					
N/A	Executive - President	1	Collegiate electoral system	Scheduled	Committee of Management (rule 40 (b))
N/A	Executive- Vice President	1	Collegiate electoral system	Scheduled	Committee of Management (rule 40 (b))
N/A	Executive - Secretary	1	Collegiate electoral system	Scheduled	Committee of Management (rule 40 (b))
N/A	Executive - Treasurer	1	Collegiate electoral system	Scheduled	Committee of Management (rule 40 (b))
N/A	Committee of Management Member	To be determined in accordance with Rule 23(c)	Direct Voting System	Scheduled	VARA (Virgin Australia Regional Airlines) ATR-72 Pilot Representative
N/A	Committee of Management Member	To be determined in accordance with Rule 23(c)	Direct Voting System	Scheduled	VAA (Virgin Australia Airlines Pty Ltd) B737 Pilot Representative
N/A	Committee of Management Member	To be determined in accordance with Rule 23(c)	Direct Voting System	Scheduled	VAA (Virgin Australia Airlines Pty Ltd) B777 Pilot Representative

N/A	Committee of Management Member	To be determined in accordance with Rule 23(c)	Direct Voting System	Scheduled	VAA (Virgin Australia Airlines Pty Ltd) A330 Pilot Representative
N/A	Committee of Management Member	To be determined in accordance with Rule 23(c)	Direct Voting System	Scheduled	Tigerair A320/B737 Pilot Representative

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	Nominations open on midday of the date as determined by the manager of election pursuant to Rule 39(e)(i) & (iii).	Upon the election of the Committee of Management in accordance with Rule 40 (b)
Nominations CLOSE	Pursuant to rule 39(e)(ii) the closing day for nominations date as determined by the Manager of the election, which is a date at least 28 days after notice of the election.	Prior to the first meeting of the Committee of Management next following the election of Members of the Committee of Management (for the purposes of this Rule “the Meeting”) Rule 40 (d)
Roll of Voters cut off date	The roll closes on the date as prescribed by Rule 39(l)(ii), being 7 days before the day on which nominations for the election open.	N/A