

31 August 2018

# Post-election Report

**VIPA – E2018/117**

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## Election(s) Covered in this Report

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Election Decision No/s: E2018/117

## Rules

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Rules used for the election: [012Q: Incorporates alterations of 16 March 2018[R2018/3]  
Replaces rulebook dated 6 September 2017 [R2017/124]

Rules difficult to apply/interpret: None  
Model Rule reference (if any) N/A

## Roll of Voters

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

## Irregularities

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

Other irregularities identified, and action taken: N/A

## Other Matters

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### 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.*

Clarification required as to whether the 'year of the election' is calendar year or financial year.

If intention is calendar year and the election has commenced before 1 July is the election to be delayed to proceed after 1 July or is previous year data used.

If previous data to be used members could be grouped into fleets that they are no longer assigned to, disenfranchising them from being elected for their current fleet and then voting for a fleet they are no longer a part of. In the case of a fleet being discontinued this also leaves members with no entitlement to be elected or vote.

### 39. NOMINATION AND ELECTION OF COMMITTEE OF MANAGEMENT

39 g) *Calling for nominations*

ii) *The notice must state—*

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

39 I) *Roll—preparation*

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

These two Rules contradict and delay the start of the election process.

## Attachments

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1) Declaration of Results for Uncontested Offices – VIC

Kylie Connor  
Returning Officer



31 August 2018



21 August 2018

Capt John Lyons  
President  
VIPA  
john.lyons@vipa.asn.au

Dear Capt Lyons,

cc: secretary@vipa.asn.au

### **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 for [E2018/117]. 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.

Regards

**Christine Hibberd**  
**Registered Organisations Commission**

# VIPA

## DECLARATION OF RESULTS - E2018/117 Uncontested Offices

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### Casual Vacancy 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:

#### VAA

##### **Committee of Management Member -B737 (2)**

###### Candidates

MACDONALD, Cameron

BESTER, Matthew

##### **Committee of Management Member -A330 (2)**

###### Candidate

EIKLI, EIVIND

#### Tigerair

##### **Committee of Management Member -A320/B737 (1)**

###### Candidate

BREWSTER, Warren

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



Kylie Connor  
Returning Officer  
Australian Electoral Commission  
16/08/2018



## DECISION

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

### VIPA

(E2018/117)

MR ENRIGHT

MELBOURNE, 9 MAY 2018

*Arrangement for conduct of election.*

[1] On 3 May 2018 the VIPA lodged with the Registered Organisations Commission prescribed information in relation to an election for the following offices:

Committee of Management Members from each of the following electorates:

#### VARA

ATR-72 (1)

F100 (1)

#### VAA

B737 (2)

B777 (2)

A330 (2)

#### Tigerair

A320/B737 (1)

[2] The above offices remained unfilled due to insufficient nominations having been received at a previous election.<sup>1</sup>

[3] I am satisfied that an election for the above-named 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

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<sup>1</sup> E2017/32



**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 Lyons being the President of the 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. Insufficient nominations were received in an earlier election and the declaration of results is attached
5. No rule alterations are pending that will impact his election.
6. This statement is lodged at least 2 months before nominations open for the election below.

Signed:

A handwritten signature in black ink, consisting of a circular scribble with a central dot and several long, sweeping strokes extending to the right and upwards.

Dated: 3 May 2018

**ANNEXURE A**

- Elections that are required:

<b>Branch</b>	<b>Name of Office</b>	<b>Total Positions</b>	<b>Vacant Positions</b>	<b>Voting System</b>	<b>Reason for Election</b>	<b>Electorate</b>
N/A	<i>Committee of Management Member</i>	1	1	<i>Direct Voting System</i>	<i>Insufficient Nominations</i>	<i>VARA – ATR -72</i>
N/A	<i>Committee of Management Member</i>	1	1	<i>Direct Voting System</i>	<i>Insufficient Nominations</i>	<i>VARA – F100</i>
N/A	<i>Committee of Management Member</i>	7	2	<i>Direct Voting System</i>	<i>Insufficient Nominations</i>	<i>VAA – B737</i>
N/A	<i>Committee of Management Member</i>	3	2	<i>Direct Voting System</i>	<i>Insufficient Nominations</i>	<i>VAA – B777</i>
N/A	<i>Committee of Management Member</i>	2	2	<i>Direct Voting System</i>	<i>Insufficient Nominations</i>	<i>VAA – A330</i>
N/A	<i>Committee of Management Member</i>	2	1	<i>Direct Voting System</i>	<i>Insufficient Nominations</i>	<i>Tigerair – A320 / B737</i>

- Important dates:

	<b>Direct Voting System</b>
<b>Nominations OPEN</b>	<i>To be determined by the returning officer</i>
<b>Nominations CLOSE</b>	<i>To be determined by the returning officer</i>
<b>Roll of Voters cut off date</b>	<i>7 days prior to nominations opening (Rule 39(l)(ii))</i>