

# **Australian Federation of Air Pilots Branch Committee Members**

## **DECLARATION OF RESULTS FOR UNCONTESTED OFFICES**

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2009/126

### **Civil Aviation Safety Authority Council**

**Council Committee Member (3)**

No nominations were received

### **New South Wales Branch**

**Branch Committee Member (9)**

#### Candidate

ANDERSON, Robin Francis

No further nominations were accepted

### **Northern Territory Branch**

**Branch Committee Member (7)**

No nominations were received

### **Overseas Pilot Council**

**Overseas Pilot Representative**

No nomination was received

### **Queensland Branch**

**Branch Committee Member (5)**

#### Candidates

ASH, Timothy David

SHEPPARD, John Vincent

THOMPSON, Russell

No further nominations were accepted

**South Australian Branch**

**Branch Committee Member (2)**

No nominations were received

**Victorian Branch**

**Branch Committee Member (12)**

No nominations were received

**Western Australian Branch**

**Branch Committee Member (6)**

Candidates

CHARLESWORTH, Michael L. E.

WILLIAMS, Glenn

No further nominations were accepted

**Jetstar Council Committee**

**Council Committee Member (10)**

Candidate

GARDINER, Peter

No further nominations were accepted

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

Tony King  
Returning Officer

29 May 2009

# Australian Federation of Air Pilots Branch Officers

## DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2009/126

### **CIVIL AVIATION SAFETY AUTHORITY COUNCIL**

#### **Council Chairman**

##### Candidate

SMIBERT, Peter Julian

### **NORTHERN TERRITORY BRANCH**

#### **Branch Secretary/Treasurer**

No nomination was received

### **QUEENSLAND BRANCH**

#### **Branch Secretary/Treasurer**

No nomination was received

#### **Convention Representative**

##### Candidate

COUSINS, Darren

### **VICTORIAN BRANCH**

#### **Branch Chairman**

No nomination was received

#### **Branch Vice-Chairman**

No nomination was received

**Branch Secretary/Treasurer**

No nomination was received

**Convention Representative**

No nomination was received

**JETSTAR COUNCIL**

**Council Chairman**

Candidate

LEWIS, Lester

**Council Vice-Chairman**

Candidate

GARDINER, Peter

**Council Secretary/Treasurer**

No nomination was received

**VIRGIN BLUE PILOT COUNCIL**

**Council Secretary/Treasurer**

No nomination was received

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

Tony King  
Returning Officer

15 July 2009

*Workplace Relations Act 1996*  
s.189 of Schedule 1 - arrangement for conduct of an election

**Australian Federation of Air Pilots**  
(E2009/126)

T. NASSIOS  
DEPUTY INDUSTRIAL REGISTRAR

MELBOURNE, 14 APRIL 2009

*Arrangement for conduct of election.*

**DECISION**

[1] On 3 March 2009 the abovenamed organisation lodged in the Industrial Registry prescribed information in relation to an election to fill the following three vacant offices for the unexpired part of the term (additional information regarding these offices was provided on 2 April 2009):

**Civil Aviation Safety Authority Council**

Council Committee Member (1)

Collegiate

Council Chairman

**Jetstar Council**

Council Committee Member (1)

[2] On 3 March 2009 the organisation also lodged prescribed information in relation to an election for the following offices arising from insufficient nominations in E2008/225:

**Victorian Branch**

Branch Committee Members (12)

Collegiate

Branch Chairman

Branch Vice-Chairman

Branch Secretary/Treasurer

Convention Representative (1)

**New South Wales Branch**

Branch Committee Members (9)

**Queensland Branch**

Branch Committee Members (5)

Collegiate

Branch Secretary/Treasurer

Convention Representative (1)

**Western Australian Branch**

Branch Committee Members (6)

**South Australian Branch**

Branch Committee Members (2)

**Northern Territory Branch**

Branch Committee Members (7)

Collegiate

Branch Secretary/Treasurer

**Civil Aviation Safety Authority Council**

Council Committee Members (2)

**Jetstar Council**

Council Committee Members (9)

Collegiate

Council Chairman

Council Vice-Chairman

Council Secretary/Treasurer

**Virgin Blue Pilot Council**

Collegiate

Council Secretary/Treasurer

**Overseas Pilot Council**

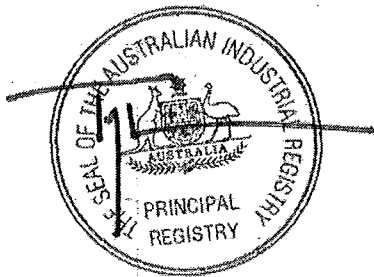
Overseas Pilot Representative (1)

**[3] Note regarding new Jetstar Council and new Virgin Blue Pilot Council**

The previous election for the organisation (E2008/225) included offices in a new Jetstar Council and a new Virgin Blue Pilot Council which the organisation has advised were established in 2008 – see AFAP correspondence to the Australian Industrial Registry dated 23 July 2008. The present election also includes offices in these new Councils. I therefore draw attention to the following comments that were included in my decision in respect to E2008/225:

*I note the view expressed by the organisation in its letter dated 23 July 2008 that membership of a Branch and a Council is mutually exclusive in accordance with Rule 4 subrule 1(c) and Rule 4 subrule 1(h)(ii). I also note the provisions of Rule 4 subrule 4(a)(ii) that the position of a member of a Branch/Council Committee shall be vacated if the member of the Committee ceases to be a member of the Branch/Council. I hold no view regarding whether the organisation has complied with its obligations regarding the loss of office by any incumbent office-holder due to the establishment of the Jetstar Council or Virgin Blue Pilot Council.*

[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 Schedule 1 of the Workplace Relations Act 1996, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



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**AUSTRALIAN FEDERATION  
OF AIR PILOTS**



MEMBER OF THE  
INTERNATIONAL FEDERATION OF  
AIR LINE PILOTS' ASSOCIATION

*President:*  
Bryan Murray

*Executive Director:*  
Terry O'Connell

3 March 2009

The Industrial Registrar  
Australian Industrial Registry  
Nauru House  
GPO Box 1994S  
MELBOURNE VIC 3001

*E2009/126*

Dear Registrar,

**Australian Federation of Air Pilots– Branch/Council Committee and  
Branch/Council Chairman, Vice Chairman, Secretary/Treasurer and Convention  
Representative Elections – E2008/E225**

As a result of the election conducted by the AEC the Federation notifies you of the requirement to call follow up ballots for vacancies still existing.

We have attached a declaration from the President identifying the vacant positions.

Further as a result of two resignations from the elected positions on the committee and in one case an officer further ballots need to be called for those vacancies.

The attached information is lodged in accordance with subsection 189(1) of the RAO Schedule of the Workplace Relations Act 1996 (the Act).

The information includes:

- The prescribed information in respect of the Branch/Council Committee Election, vacancies existing following completion of E2008/E225 signed by Capt Bryan Murray, President of the AFAP; and

Please contact me on (03) 9928 5737 if you have any questions or require any additional information.

Yours faithfully,

**Lawrie Cox  
Manager – Industrial Relations**

**Level 6, 132-136 Albert Road, South Melbourne, Victoria 3205  
Tel: (03) 9928 5737 Fax: (03) 9699 8199  
Email: [admin@afap.org.au](mailto:admin@afap.org.au)**



**PRESCRIBED INFORMATION IN RESPECT OF BRANCH/COUNCIL ELECTION  
SUBSECTION 189(1) OF THE RAO SCHEDULE**

I am an officer of the Australian Federation of Air Pilots and am authorised to sign this statement that is lodged in accordance with subsection 189(1) of the RAO Schedule of the *Workplace Relations Act 1996*.

**1. The vacant offices in respect of which the elections are required are:**

**Victorian Branch**

Branch Committee Members (12)

Collegiate

Branch Chairman

Branch Vice-Chairman

Branch Secretary/Treasurer

Convention Representative (1)

**New South Wales Branch**

Branch Committee Members (9)

**Queensland Branch**

Branch Committee Members (5)

Collegiate

Branch Secretary/Treasurer

Convention Representative (1)

**Western Australian Branch**

Branch Committee Members (6)

**South Australian Branch**

Branch Committee Members (2)

**Northern Territory Branch**

Branch Committee Members (7)

Collegiate

Branch Secretary/Treasurer

**Civil Aviation Safety Authority Council**

Branch Committee Members (3)

Collegiate

Branch Chairman

**Jetstar Council**

Branch Committee Members (10)

Collegiate

Branch Chairman

Branch Vice-Chairman

Branch Secretary/Treasurer

## Virgin Blue Pilot Council

Collegiate

Branch Secretary/Treasurer

## Overseas Pilot Council

Overseas Pilot Representative (1)

### 2. The reasons for which the elections are required are:

To fill vacancies arising out of the ballot for vacancies and to fill any casual vacancies required.

To fill the position of Overseas Pilot Council Convention Delegate as per Rule 4.1(i).

Then:

To fill Office Bearer positions vacant on each State Branch/ Council Committee and to fill any casual vacancies required.

### 3. The electorate/s for the election are:

Victoria, New South Wales, Queensland, Western Australia, South Australia, Northern Territory, the Civil Aviation Safety Authority and Jetstar.

Members permanently domiciled outside Australia for periods in excess of 6 months.

Then:

Members of the Victoria Branch Committee, Queensland Branch Committee, Northern Territory Branch Committee, the Civil Aviation Safety Authority Council Committee, Jetstar Council Committee and Virgin Blue Pilot Council.

### 4. The dates and times that nominations open and close are:

Please call nominations. Nominations shall remain open for 35 days.

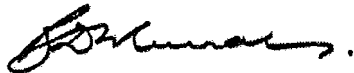
### 5. The voting system to be used in the conduct of the elections is:

Direct voting system of all financial members of the relevant Branches/Council.

Direct voting system of all financial members of the Overseas Pilot Council.

Then:

Direct voting system of all financial members of the relevant Branches/Council Committee.



President, Bryan Murray

Date: 3 March 2009

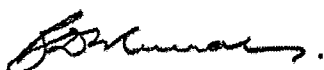
# CERTIFIED DECLARATION

I, Captain Bryan Murray, President of the Australian Federation of Air Pilots, Level 6, 132-136 Albert Road, South Melbourne in the State of Victoria, declare that the following changes have occurred with in the Officers of the Federation and is a correct statement of the changes made:

## *Changes to Branch/Council Committees:*

1. Gary Presneill has resigned from the Civil Aviation Safety Authority and subsequently resigned from the CASA Council and as Chairman of the Council;
2. Nathan Miller has taken up a management position and has resigned from the Jetstar Council.

Signed



Captain Bryan Murray  
President  
Australian Federation of Air Pilots

3 March 2009

**SCHULTZ, Andrew**

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**From:** Lawrie Cox [lawrie@afap.org.au]  
**Sent:** Thursday, 2 April 2009 6:16 PM  
**To:** SCHULTZ, Andrew  
**Subject:** RE: Attention: Lawrie Cox - Re: AFAP Election - E2009/126  
**Attachments:** FW: My departure from CASA [SEC=IN-CONFIDENCE:STAFF]; Resignation from JC - N.Miller

Andrew

Sorry about delay in responding. I have attached the relevant emails regarding Preisnell and Miller. Your point is right as the rule was moved from 4.1 to rule 16 and is the correct reference that should have been made.

Our annual return is late which has been due to some lost email traffic we are in process of rectifying.

Regards

Lawrie Cox

Manager- Industrial Relations

Australian Federation of Air Pilots



Tel: 03 9928 5737



Fax: 03 9699 8199



Mob: 0419 379180



Email: [lcox@bigpond.com](mailto:lcox@bigpond.com)



Level 6, 132 Albert Road, South Melbourne, VIC 3205

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**From:** AFAP [mailto:admin@afap.org.au]  
**Sent:** Friday, 20 March 2009 8:18 AM  
**To:** lawrie@afap.org.au  
**Subject:** FW: Attention: Lawrie Cox - Re: AFAP Election - E2009/126

Sophie Leonards  
Administration & Membership Officer

Australian Federation of Air Pilots  
Level 6, 132 -136 Albert Road  
SOUTH MELBOURNE VIC 3205  
T (03) 9928 5737  
F (03) 9699 8199  
E [reception@afap.org.au](mailto:reception@afap.org.au)

9/04/2009

-----Original Message-----

**From:** SCHULTZ, Andrew [mailto:Andrew.Schultz@airc.gov.au]

**Sent:** Thursday, 19 March 2009 11:59 AM

**To:** admin@afap.org.au

**Subject:** Attention: Lawrie Cox - Re: AFAP Election - E2009/126

Lawrie,

**Re: AFAP Election - E2009/126**

The above election request is currently under consideration

Generally everything appears to be OK – however I seek further information regarding the following two points:

Casual vacancies

There appear to be three casual vacancies arising from resignations as follows:

**Civil Aviation Safety Authority Council**

Council Committee Member (1)

Collegiate

Council Chairman

**Jetstar Council**

Council Committee Member (1)

Would you be able to provide copies of the resignation letters that relate to these positions.

Overseas Pilot Council

The previous election (E2008/225) and the current election (E2009/126) requested the following position:

**Overseas Pilot Council**

Overseas Pilot Representative (1)

This seems to be in accord with Rule 16 of the AFAP Rules.

I note however that the election notification states:

*2. The reasons for which the elections are required are:*

...

*To fill the position of Overseas Pilot Council Convention Delegate as per Rule 4.1(i).*

I am unable to locate Rule '4.1(i)' or a reference to an 'Overseas Pilot Council Convention Delegate' in the Rules of the AFAP. Would you be able to provide further information as to how these relate to the office of 'Overseas Pilot Representative'.

9/04/2009

If you have any queries regarding the above let me know.

Regards,

ANDREW SCHULTZ  
Research Officer

Australian Industrial Relations Commission  
11 Exhibition St, Melbourne Victoria 3000  
GPO Box 1994, Melbourne Victoria 3001

Telephone: (03) 8661 7990  
International: (613) 8661 7990  
Facsimile: (03) 9655 0410  
Email: [andrew.schultz@airc.gov.au](mailto:andrew.schultz@airc.gov.au)

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**SCHULTZ, Andrew**

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**From:** David Stephens [david@afap.org.au]  
**Sent:** Thursday, 2 April 2009 5:43 PM  
**To:** 'Lawrie Cox'  
**Subject:** FW: My departure from CASA [SEC=IN-CONFIDENCE:STAFF]

-----Original Message-----

**From:** PRESNEILL, GARY [mailto:GARY.PRESNEILL@casa.gov.au]  
**Sent:** Friday, January 30, 2009 12:35 PM  
**To:** David Stephens (AFAP); SMIBERT, JULIAN; WORTHINGTON, GREGORY  
**Subject:** My departure from CASA [SEC=IN-CONFIDENCE:STAFF]

G'day David, Julian and Greg,

With my departure from CASA WEF today, I will be unable to continue as Chairman of the AFAP's CASA Pilot Council. So I guess you will have to arrange for further elections.

Thanks for your help over the past few years, and all the best for the negotiations re Work Level Standards (by 7 April 09?), and then the new CA (from May 09)!

Regards

Gary Presneill  
Flying Operations Inspector  
CASA Western Region - Perth Office  
GPO Box 2005, Canberra, ACT 2601  
Ph 131757 (extn 2832)  
Fax (08) 9366 2810  
Mob 0413 59 44 53  
<mailto:gary.presneill@casa.gov.au>

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## SCHULTZ, Andrew

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**From:** Nathan Miller [nathan.miller@jetstar.com]  
**Sent:** Tuesday, 3 March 2009 3:01 PM  
**To:** lacob@bigpond.com  
**Subject:** Resignation from JC - N.Miller

G'day Laurie,

As discussed, I wish to resign from the Jetstar Council effective Feb 2<sup>nd</sup>.

**Nathan Miller**  
**Manager - Line Operations A320/321**  
**JETSTAR AIRWAYS**  
t. 03 8628 3133 | m. 0422 222 974 | f. 03 8628 3466  
[nathan.miller@jetstar.com](mailto:nathan.miller@jetstar.com)  
Level 1, 473 Bourke Street . Melbourne VIC 3000  
AUSTRALIA

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#### Candidate

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No further nominations were accepted

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SHEPPARD, John Vincent

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WILLIAMS, Glenn

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Candidate

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Tony King  
Returning Officer

29 May 2009

# Australian Federation of Air Pilots Branch Officers

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#### **Council Chairman**

##### Candidate

SMIBERT, Peter Julian

### **NORTHERN TERRITORY BRANCH**

#### **Branch Secretary/Treasurer**

No nomination was received

### **QUEENSLAND BRANCH**

#### **Branch Secretary/Treasurer**

No nomination was received

#### **Convention Representative**

##### Candidate

COUSINS, Darren

### **VICTORIAN BRANCH**

#### **Branch Chairman**

No nomination was received

#### **Branch Vice-Chairman**

No nomination was received

**Branch Secretary/Treasurer**

No nomination was received

**Convention Representative**

No nomination was received

**JETSTAR COUNCIL**

**Council Chairman**

Candidate

LEWIS, Lester

**Council Vice-Chairman**

Candidate

GARDINER, Peter

**Council Secretary/Treasurer**

No nomination was received

**VIRGIN BLUE PILOT COUNCIL**

**Council Secretary/Treasurer**

No nomination was received

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Tony King  
Returning Officer

15 July 2009