

21 March 2022

Post-election report

Australian Hotels Association

Queensland Branch

Scheduled election - Stage 1 and 2

E2021/113

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Election(s) Covered in this Report

Organisation: Australian Hotels Association - Queensland Branch
Election: Scheduled
Election Decision No/s: E2021/113

Rules

Rules used for the election: [024N-QLD: Incorporates alterations of 28/6/2004]
(replaces 15/10/2001 version)

Rules difficult to apply/interpret: No

Model Rule reference (if any): No


For more details see the Model Rules on the AEC website: www.aec.gov.au/ieb/

Other Matters

Returning Officer actions required (Section 193): Yes
Details:

- The rules of the Organisation are silent about the nomination lodgement method. The Returning Officer applied subparagraph 193(1) (b)(ii) of the Act and allowed submission of nomination by email or AEC portal.
- As there was no rule pertaining to the withdrawal of Nomination, the Returning Officer applied subparagraph 193(1) (b)(ii) of the Act to fix a closing time for the withdrawal of the nomination and the withdrawal period was aligned with the close of the nomination period.
- Rules of the Organisation state that ballot to open within 14 days of close of the nomination. The Returning Officer deems that this time frame is not sufficient to ensure that no irregularities occur when checking the eligibility of nominations received and to ensure the documents for the ballot are correct. The Returning Officer applied subparagraph 193(1) (b)(ii) of the Act to extend the period considering eligibility check and defect period. Therefore, opened the ballot within 4 weeks of the close of the nomination instead of 14 days.
- Rules of the Organisation state that the maximum ballot period will not be more than 14 days. The Returning Officer applied subparagraph 193(1) (b)(ii) of the Act to extend the period due to current delivery time taken by Australia post and allowed at least 4 weeks instead of 14 days.

Signed



Ishtiaq Ahmed
Returning Officer
Australian Electoral Commission
E: IEEvents@aec.gov.au
P: 02 9375 6331
21 March 2022

Attachments

- A. Declaration of results for Uncontested Offices – Stage 1
- B. Declaration of Results for Uncontested Offices – Stage 2

Australian Hotels Association
Queensland Branch
DECLARATION OF RESULTS - E2021/113 - 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:

State Board

President (1)

Candidates

MCGUIRE Thomas

Senior Vice-President (1)

Candidates

DEERY Richard

Vice-President (3)

Candidates

ARMSTRONG Scott

COOREY Matthew

FITZGIBBONS Bradley

Secretary/Treasurer (1)

Candidates

JOHNSON Rachel

Trustee (2)

Candidates

No Nominations Received

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

Catherine Budrodeen
Returning Officer
Telephone: 02 9375 6366
Email: IEBevents@aec.gov.au
04/03/2022

Australian Hotels Association, Queensland Branch
DECLARATION OF RESULTS - E2021/113 - 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:

State Board Delegates - Northern Zone (6)

Candidates

CLARKE Stephen Anthony

ELLISON Craig

HAKFOORT Albert

State Board Delegates - Southern Zone (14)

Candidates

ARMSTRONG Scott

BOWLY Richard

CARTER Darren

COOREY Matthew

CORDWELL Will

DEERY Richard

FARQUHAR Ross Alexander

FITZGIBBONS Bradley

HOGAN Scott

INGHAM-MYERS Sam

JOHNSON Rachel

MCGUIRE Thomas

STOIS Stephen

TAIT Melinda

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

Ishtiaq Ahmed
Returning Officer
Telephone: 02 9375 6331
Email: IEEvents@aec.gov.au
19/01/2022



DECISION

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

Australian Hotels Association (E2021/113)

MR STEENSON

SYDNEY, 28 JULY 2021

Arrangement for conduct of election.

[1] On 6 July and 22 July 2021 the Australian Hotels Association - Queensland Branch (the Branch) lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

State Board

President	(1)
Senior Vice-President	(1)
Vice-President	(3)
Secretary/Treasurer	(1)
Trustee	(2)

State Board Delegates:

Northern Zone	(6)
Southern Zone	(14)

Zone General Committees

Northern Zone

Chairman	(1)
Senior Vice Chairman	(1)
Vice Chairman	(2)
Secretary/Treasurer	(1)
Trustee	(2)

Southern Zone

Chairman	(1)
Senior Vice Chairman	(1)
Vice Chairman	(2)
Secretary/Treasurer	(1)
Trustee	(2)

Zone General Committee representativesNorthern Zone from the following Divisions:

Atherton Tablelands Division	(1)
Bowen Division	(1)
Cairns Division	(1)
Innisfail Division	(1)
Mackay Division	(1)
Townsville Division	(1)
Accommodation Hotels Division	(1)

Southern Zone from the following Divisions

Brisbane North Division	(9)
Brisbane South Division	(9)
South West Queensland Division	(1)
Bundaberg Division	(1)
Central Division	(8)
Dalby Division	(1)
Gold Coast Division	(1)
Gympie Division	(1)
Ipswich Division	(2)
Maryborough Division	(1)
Sunshine Coast Division	(2)
Burnett Division	(1)
Toowoomba Division	(2)
Warwick Division	(1)
Brisbane Accommodation Hotels Division	(1)
Gold Coast Accommodation Hotels Division	(1)

[2] I note that, in relation to Zone General Committees and representatives elected to them (which have been elected on an annual basis), these were the subject of an election decision, [2020] ROCD 157, issued on 25 September 2020 in matter **E2020/121** arranging for an election for those particular offices.

[3] However, as a result of the delay in the conduct of most industrial elections by the Australian Electoral Commission (AEC), arising from the COVID-19 pandemic and associated restrictions, election **E2020/121** was among the elections delayed. Perusal of the AEC's 'List of current industrial elections',¹ has confirmed that election **E2020/121** is among those which are currently in the process of being conducted by the AEC.

[4] All of the Zone offices that were the subject of the Delegate's decision in **E2020/121** were included in the prescribed information and amended prescribed information lodged in July 2021 in this current matter (**E2021/113**). (Prescribed information for the election of State Board Delegates and State Board Officers was included in the 2021 prescribed information but not in

¹ Available at <https://eemt.microsoftcrmporals.com/electoral-event-portal/current-industrial-elections/>, via the AEC webpage <https://aec.gov.au/ieb/> (accessed 28 July 2021)

the 2020 prescribed information, as an election for State Board roles is only scheduled to occur every second year, in accordance with the Branch rules, and is due for election in 2021).

[5] With election **E2020/121** currently underway, there is the potential for the two elections, **E2020/121** and **E2021/113** to occur simultaneously or in close temporal proximity to each other, in circumstances where some (but not all) of the offices for which prescribed information lodged for **E2021/113**, are already the subject of election in **E2020/121**.

[6] Having reviewed the materials and taken into consideration that an election (**E2020/121**) is already underway in relation to various Zone offices, I do not propose to require the AEC to conduct two elections for those Zone offices.

[7] In considering the effect of the delayed conduct of the election for Zone offices, which the Branch's rules (notably subrule 50(f) and subrule 52(b)) deal with, I request that the Branch consider the possible utility of amending its rules to align the timing of future scheduled elections for those offices.

[8] As part of the Commission's function of providing advice and assistance to registered organisations, I propose to separately engage with the Branch to discuss means by which this issue may be able to be addressed before the next scheduled election is due.

[9] I am satisfied that an election for the abovenamed offices is required to be held under the rules of the Branch and, under subsection 189(3) of the *Fair Work (Registered Organisations) Act 2009*.

[10] However, in circumstances where the Zone Committee officers and the Zone Committee representatives are the subject of an election process currently underway by the AEC in matter **E2020/121**, a duplicate election for those specific offices is not required. An election is still required for the offices of State Board Delegates and State Board office-bearers.

[11] Proceeding on the basis that the AEC will complete the election process currently in train for the offices in the decision in **E2020/121** (i.e. the Zone officers and committee representatives), the AEC would then only need to undertake an election for the offices of State Board Delegates and State Board office-bearers for this current matter **E2021/113**.



DELEGATE OF THE COMMISSIONER

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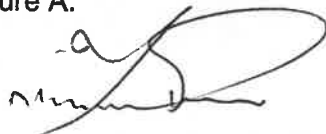
PR351996

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, Thomas Harrington McGuire, being the President of the Australian Hotels Association (Qld Branch) make the following statement:

1. I am authorised to sign this statement containing prescribed information for Australian Hotels Association (Qld Branch).
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. The formula to determine the number of offices to be elected is set out in the Rules of Association.
 - a. The rule number which specify the formula is Rule 10 (a) for State Board.
 - b. The formula(s) for elections to State Board are Zones having 201 and up to 300 licensed members establishments in their area – 6 representatives and Zones having 601 and up to 700 member establishments in their area – 14 representatives
 - c. The relevant date(s) for this information is as at 1 January 2021. At this date North Zone had 213 members and South Zone had 694 members
4. There are no rule alterations pending with the Fair Work Commission that will impact the election.
5. This statement is lodged at least 2 months before nominations open for the election(s) in Annexure A.

Signed:



Dated: 22 July 2021

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 [insert as many pages as 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
QLD	State Board Officers	State Board Officers: President (1) Senior Vice-President (1) Vice-president (3) Secretary/Treasurer (1) Trustees (2)	Collegiate electoral system	Scheduled	State Board Delegates – Rules 14(b)
QLD	State Board Delegates	North (6) South (14)	Collegiate electoral system	Scheduled	Northern Zone General Committee – Rule 10(h)(vi) Southern Zone General Committee – Rules 10(h)(vii)
QLD	Northern Zone General Committee Officers	Officers for each North and South: Chairman (1) Senior Vice-Chairman (1) Vice-Chairman (2) Secretary/Treasurer (1) Trustees (2)	Collegiate electoral system	Scheduled	Northern Zone General Committee

	Southern General Committee Officers	Officers for each North and South: Chairman (1) Senior Vice-Chairman (1) Vice-Chairman (2) Secretary/Treasurer (1) Trustees (2)	Collegiate electoral system	Scheduled	Southern Zone General Committee
	Northern Zone General Committee Representative	1	Collegiate	Scheduled	Atherton Tablelands Divisional Management Committee – Rule 50 (a)
	Northern Zone General Committee Representative	1	Collegiate	Scheduled	Bowen Divisional Management Committee – Rule 50 (a)
	Northern Zone General Committee Representative	1	Collegiate	Scheduled	Cairns Divisional Management Committee – Rule 50 (a)
	Northern Zone General Committee Representative	1	Collegiate	Scheduled	Innisfail Divisional Management Committee – Rule 50 (a)
	Northern Zone General Committee Representative	1	Collegiate	Scheduled	Mackay Divisional Management Committee – Rule 50 (a)

	Northern Zone General Committee Representative	1	Collegiate	Scheduled	Townsville Divisional Management Committee – Rule 50 (a)
	Northern Zone General Committee Representative	1	Collegiate	Scheduled	Accommodation Hotels Divisional Management Committee – Rule 50 (a)
	Southern Zone General Committee Representative	9	Collegiate	Scheduled	Brisbane North Divisional Management Committee – Rule 50 (a)
	Southern Zone General Committee Representative	9	Collegiate	Scheduled	Brisbane South Divisional Management Committee – Rule 50 (a)
	Southern Zone General Committee Representative	1	Collegiate	Scheduled	South West Queensland Divisional Management Committee – Rule 50 (a)
	Southern Zone General Committee Representative	1	Collegiate	Scheduled	Bundaberg Divisional Management Committee – Rule 50 (a)
	Southern Zone General Committee Representative	8	Collegiate	Scheduled	Central Divisional Management Committee – Rule 50 (a)
	Southern Zone General Committee Representative	1	Collegiate	Scheduled	Dalby Divisional Management Committee – Rule 50 (a)

	Southern Zone General Committee Representative	1	Collegiate	Scheduled	Gold Coast Divisional Management Committee – Rule 50 (a)
	Southern Zone General Committee Representative	1	Collegiate	Scheduled	Gympie Divisional Management Committee – Rule 50 (a)
	Southern Zone General Committee Representative	2	Collegiate	Scheduled	Ipswich Divisional Management Committee – Rule 50 (a)
	Southern Zone General Committee Representative	1	Collegiate	Scheduled	Maryborough Divisional Management Committee – Rule 50 (a)
	Southern Zone General Committee Representative	2	Collegiate	Scheduled	Sunshine Coast Divisional Management Committee – Rule 50 (a)
	Southern Zone General Committee Representative	1	Collegiate	Scheduled	Burnett Divisional Management Committee – Rule 50 (a)
	Southern Zone General Committee Representative	2	Collegiate	Scheduled	Toowoomba Divisional Management Committee – Rule 50 (a)
	Southern Zone General Committee Representative	1	Collegiate	Scheduled	Warwick Divisional Management Committee – Rule 50 (a)
	Southern Zone General Committee Representative	1	Collegiate	Scheduled	Brisbane Accommodation Hotels Divisional Management Committee – Rule 50 (a)

	Southern Zone General Committee Representative	1	Collegiate	Scheduled	Gold Coast Accommodation Hotels Divisional Management Committee – Rule 50 (a)
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- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	nil	<p><u>State Board Delegates</u> – To be determined by Returning Officer</p> <p><u>State Board Officers</u> – At first meeting following State Board Delegates election (Rule 15(b) of the AHA-Qld Rules)</p> <p><u>Zone General Committee Representatives</u> – To be determined by Returning Officer</p> <p><u>Zone General Committee Officers</u> – At first meeting following Zone General Committee Representatives election (Rule 51(b) of the AHA-Qld Rules)</p>
Nominations CLOSE	nil	To be determined by Returning Officer
Roll of Voters cut off date	nil	7 Days Prior to date determined by Returning Officer for election

NOTES: For insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as 'To be determined by the returning officer'. This also applies where rules are silent as to the nominated dates.

If the nomination dates are 'To be Determined by the Returning Officer', but your organisation has a *preference*, please state 'To be Determined by Returning Officer' and clearly indicate that your nominated date is a preference.

If the P.I. includes a position that is not an office, please refer to our template [Prescribed information for the election of officer and non-officer positions](#)