

16 January 2023

Post-election report

Australian Hotels Association

Tasmanian Hospitality Association

Scheduled election

E2022/176

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Election(s) Covered in this Report

Organisation: AHA - Tasmanian Branch
Election: Scheduled
Election Decision No/s: E2022/176

Rules

Rules used for the election: 024N-TAS: Incorporates alterations of 27 January 2021 [R2021/6]
(replaces rulebook dated 1 April 2010 [R2010/27])

Rules difficult to apply/interpret: N/A.

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

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

Signed

Lachlan Symonds
Returning Officer
Australian Electoral Commission
E: iebevents@aec.gov.au
P: 02 9375 6366
16 January 2023

Attachments

A. Declaration of Results for Uncontested Offices

B. Declaration of Results for Contested Offices

Australian Hotels Association
Tasmanian Hospitality Association Branch
DECLARATION OF RESULTS - E2022/176 - 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:

Tasmanian Hospitality Association Branch Council

President (1)

Candidates

CARPENTER Ben

Treasurer (1)

Candidates

BEST Michael

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

Lachlan Symonds
Returning Officer
Telephone: 02 9375 6366
Email: jebevents@aec.gov.au
16/01/2023





5 January 2023

Ben Carpenter
National Secretary Treasurer
Australian Hotels Association - Tasmanian Hospitality Association
Sent via email: ben@beachhotelburnie.com.au



IMMEDIATE ACTION REQUIRED:

You must take steps after your recent election E2022/176

Dear Ben Carpenter,

An election has recently been completed by the Australian Electoral Commission (**AEC**) for the Australian Hotels Association - Tasmanian Hospitality Association.

This letter explains the next steps you must take and what information you need to lodge with the Registered Organisations Commission (**ROC**).

What you must do right now

- Let your members know about the election report issued by the AEC
- Arrange financial training for officers newly elected to an office with financial management duties. (This includes all members of the committee of management).
- Complete the notification of change and email it to regorgs@roc.gov.au

This letter explains these steps and the tools available to help you.

STEP 1: Notify members

You must put a notice on your website once you receive your post-election report. It must tell your members they can request a copy of the post-election report from you or the AEC (r. 141). The notice must be on your website for at least 3 months.



Can I put more information on our website?

Yes! Being transparent is part of good governance. You can publish the whole report or the declaration of results, as well as your notice and leave them up longer than 3 months. You can always do more than the regulatory minimum.

The ROC will also publish your declaration of results on our [website](#).

STEP 2: Financial training

You may have to arrange financial training for people elected to new roles.

All officers with financial management duties must complete financial training (s 293K). For information on when officers must redo training and hints on when to book training for officers taking up multiple offices [please see our fact sheet](#).

There are face to face and online [financial training packages on the ROC website](#).

You must act on this now, as affected officers **MUST** complete approved financial training OR been granted an [exemption by the ROC within 6 months](#) of beginning to hold office.



Good governance tip:

Organisations should instruct officer holders about their other obligations. This is especially important for committee of management members.

Our podcast covers the [benefits of officer induction](#). Officers have responsibilities under the rules, the RO Act, and disclosure requirements around conflicts of interest, remuneration and material personal interests. Officers will benefit from our [officer induction kit](#) and our [podcast, such as episode 17 - conflicts of interest](#).

STEP 3: Notifications of change

A notification of change must be lodged with the ROC within **35 days** of the change occurring.



We have a [template](#) to help you with this, which you can send to regorgs@roc.gov.au. An officer must sign the completed notification template.

You must lodge a notification of change if:

- any of your officers have not been re-elected;
- officers have changed offices; or
- you have new officers.

Only notify us of changes that have **already occurred**. If people take up office in the future, you must wait until the change happens before lodging the notification within 35 days of the change.

Note: One election may result in many notifications of change.



Penalties apply

Failing to lodge your notifications of change on time can expose your organisation and its officers to significant penalties.

ROC v CEPU

The organisation failed to make a series of notifications of change on time.

The Full Court said 'The record-keeping obligations imposed under the Registered Organisations Act are treated by the legislature as important and serious, and contravention of those obligations are correspondingly serious.'

The organisation was ordered to pay a penalty. More information is available in our [case summary](#).

Questions?



Why do I need to tell you the results of the election when you've already received them?

The RO Act requires that **you** tell us this information about your officers – it is a legal obligation. The notification of change also contains information that is not in the declaration of results.

What if the officer has already done training?

Check out our [fact sheet](#) for when officers need to redo training, when they can get an exemption and when further training isn't required.

If you have any queries we can be contacted on 1300 341 665 or by email at regorgs@roc.gov.au.

Yours sincerely

Registered Organisations Commission



The ROC has a [Compliance Policy](#) which explains how we respond to issues of non-compliance. The policy is available on our website if you would like further information on the steps the compliance team may take in response to non-lodgement of a financial report.

Australian Hotels Association
AHA - Tasmanian Branch
DECLARATION OF RESULTS - E2022/176 - Stage 1
Contested 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:

Pub/Tavern Division - South Region (phone prefix 62)

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	103
Number of voters issued with voting material	103
Total number of voters issued with replacement voting material	0
Total number of voting material packs issued	103
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	59
Number of declaration envelopes rejected at preliminary scrutiny (minus)	8
Number of ballot papers returned outside declaration envelopes (minus)	0
COUNT	
Total ballot papers admitted to the count	51
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	3
Voting material packs not returned by voters by closing date of the ballot	41
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	57 %

Representative to State Council (4)

<u>Candidates</u>	<u>Final Votes</u>
BERECHREE, Jocelyn	37
GUNTON, David	28
BROWN, Darren	23
KENNEDY, Tony	31
KALIS, Alexia	41
JUBB, Paul	44
Total ballot papers admitted for this office	51
Formal Ballot papers	51
Informal Ballot papers	0

I declare the following elected:

	Order Elected
• JUBB, Paul	1
• KALIS, Alexia	2
• BERECHREE, Jocelyn	3
• KENNEDY, Tony	4

Lachlan Symonds
Returning Officer
Telephone: 02 9375 6366
Email: iebevents@aec.gov.au
04/01/2023





5 December 2022

Ben Carpenter
National Secretary Treasurer
Australian Hotels Association - Tasmanian Hospitality Association
Sent via email: ben@beachhotelburnie.com.au



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Yours sincerely

Registered Organisations Commission



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Australian Hotels Association
Tasmanian Branch
DECLARATION OF RESULTS - E2022/176 - 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:

Pub/Tavern Division

Division President/Branch Vice President (1)

Candidates

JUBB Paul B

Pub/Tavern Division - North Region (phone prefix 63)

Representative to State Council (3)

Candidates

BURBURY Karen

KELLY Martin

Pub/Tavern Division - North West Region (phone prefix 64)

Representative to State Council (2)

Candidates

BEST Michael

CARPENTER Ben

Accommodation Hotels Division

Division President/Branch Vice President (1)

Candidates

DABNER John

Accommodation Hotels Division - North and North West Regions (phone prefix 63 and 64)

Representative to State Council (1)

Candidates

DABNER John

Accommodation Hotels Division - South Region (phone prefix 62)

Representative to State Council (1)

Candidates

RICHARDS Shelley

Restaurant Division

Division President/Branch Vice President (1)

Candidates

FRARACCIO Angelo

Restaurant Division - South Region (phone prefix 62)

Representative to State Council (2)

Candidates

FRARACCIO Angelo

VEIS Danny

Restaurant Division - North and North West Regions (phone prefix 63 and 64)

Representative to State Council (2)

Candidates

COCK Matt

REID Leigh

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

Lachlan Symonds
Returning Officer
Telephone: 03 9285 7111
Email: iebevents@aec.gov.au
02/12/2022





DECISION

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

Australian Hotels Association - Tasmanian Hospitality Association (E2022/176)

MR STEENSON

SYDNEY, 4 OCTOBER 2022

Arrangement for conduct of election.

[1] On 7 September 2022 the Tasmanian Hospitality Association Branch of the Australian Hotels Association lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices for a new term of office:

President (1)

Treasurer (1)

Division President / Branch Vice President from the following:

Pub/Tavern Division (1)

Accommodation Hotels Division (1)

Restaurant Division (1)

Division Representatives to the Council from the following:

Pub/Tavern Division from the following regions:

South (telephone prefix 62) (4)

North (telephone prefix 63) (3)

North West (telephone prefix 64) (2)

Accommodation Hotels Division from the following regions:

South (telephone prefix 62) (1)

North West and North (telephone prefix 64 and 63) (1)

Restaurant Division from the following regions:

South (telephone prefix 62) (2)

North West and North (telephone prefix 64 and 63) (2)

[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 COMMISSIONER

Printed by authority of the Commonwealth Government Printer

PR352341

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, Ben Carpenter, being the President of the Australian Hotels Association – Tasmanian Branch make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Australian Hotels Association – Tasmanian 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.
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 election(s) in Annexure A.

Signed:



Dated:

6/9/22

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
Tasmania	President	1	Collegiate electoral system	Scheduled	All State Council Member. R 18b
Tasmania	Treasurer	1	Collegiate electoral system	Scheduled	All State Council Member. R 18b
Tasmania	Division President/Branch Vice President	3	Direct Voting System	Scheduled	Members of Pub/Tavern, Accommodation and Restaurant Divisions. R 14e 1 – Pub/Tavern 1 – Accommodation / Hotels 1 - Restaurant
Tasmania	Division Representatives	15 (including Presidents) made up of the below	Direct Voting System	Scheduled	All Pub/Tavern, Accommodation and Restaurant members of the association in the South, North and North West Divisions. See details below. R 14c and 14e
Tasmania	Pub/Tavern	9	Direct Voting System	Scheduled	All Pub/Tavern members of the association. R 14e 4 – South (telephone prefix 62 – South) 3 – North (telephone prefix 63 – North) 2 – North West (telephone prefix 64 – North West)
Tasmania	Accommodation	2	Direct Voting System	Scheduled	All Accommodation members of the association. R14e 1 – South (telephone prefix 62 – South) 1 - North West and North (telephone prefix 64 and 63)
Tasmania	Restaurants	4	Direct Voting System	Scheduled	All Restaurant members of the association. R14e 2 – South (telephone prefix 62 -South) 2 – North West and North (telephone prefix 64 and 63)

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	Scheduled election – 21 Feb, 2023 (R 14f) (Preference 21 Feb, 2023)	To be determined by the Returning Officer (Preference 21 Feb, 2023) (R 124f)
Nominations CLOSE	To be determined by the Returning Officer	To be determined by the Returning Officer
Roll of Voters cut-off date	To be closed 7 days before the day on which nominations for the election open (R 14h)	To be closed 7 days before the day on which nominations for the election open (R 14h)

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](#)