



DECISION

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

Australian Hotels Association
(E2023/182)

MR STEENSON

SYDNEY, 16 NOVEMBER 2023

Arrangement for conduct of election.

[1] On 31 October 2023 the South Australian Branch (the Branch) of the Australian Hotels Association (AHA) lodged with the Fair Work Commission (the Commission) prescribed information for an election to fill the following offices for a new term of office:

Branch Councillors from each of the following Districts:

District 1 (City of Adelaide and North Adelaide)	(1)
District 2 (Eastern Metropolitan)	(1)
District 3 (Western Metropolitan)	(1)
District 4 (Northern Metropolitan)	(1)
District 5 (Southern Metropolitan)	(1)
District 6 (Port Adelaide)	(1)
District 9 (Hills)	(1)
District 13 (Yorke Peninsula)	(1)
District 16 (Port Augusta and Far North)	(1)
District 17 (Whyalla)	(1)
District 18 (South Eastern)	(1)
Branch Representative to the Accommodation Hotels Division	(1)
Branch President (ex-officio Delegate to the National Board)	(1)
Branch Vice-President	(1)
Branch Deputy Vice-President	(1)
Branch Secretary/Treasurer	(1)
Branch Trustees	(5)
Branch Executive Committee Members	(4)
Delegate to the National Board representing the South Australian Branch (additional to the Branch President)	(1)

[2] On 22 March 2023, Deputy President Colman of the Commission issued a decision relating to the amalgamation of the Accommodation Association of Australia (AAA) with the AHA. In that decision, it was noted that members of the AAA had voted to approve amalgamation with the AHA.¹ The Deputy President then confirmed 1 July 2023 as the day on which the amalgamation of the AAA and the AHA was to take effect. That amalgamation having occurred, the registration of the AAA as a separate entity was cancelled.

[3] On 11 May 2023, the Branch lodged with the Commission a notice and declaration setting out particulars of alterations to its Branch rules. The alterations were certified on 10 August 2023,² with the decision relevantly noting that a number of the alterations were ‘intended to give effect to the recent amalgamation [decision] ... and to provide representation for the former members of the AAA who are being attached to the Branch’.³

[4] Amongst other changes, the alterations change the name of the ‘Residential Hotels Division’ to the ‘Accommodation Hotels Division’ (the Division). The alterations also give the Division discrete representation on the Branch Council⁴ (in the office of Branch representative to the Accommodation Hotels Division) and ex-officio representation on the National Accommodation Division Board.⁵ I also note that the term of office of Branch representative to the Accommodation Hotels Division has now been increased from twelve months⁶ to three years⁷ which brings the term of that office into line with the term of office of all other members of the Branch Council.

[5] 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 GENERAL MANAGER

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¹ *Accommodation Association of Australia* – PR761480 (D2022/12)

² [2023] FWCD 12 – (R2023/45)

³ *Ibid*, at [6].

⁴ The Branch Council is the body responsible for governing the affairs of the Branch, subject to the control and direction of meetings of members of the Association - AHA SA Branch rule 17

⁵ The NAD Board is the Committee of management of the AHA National Accommodation Division –National rules 51 and 52

⁶ See AHA rulebook dated 12 Feb 2021 [R2020/170] - rule 42(c)

⁷ See AHA rulebook dated 1 July 2023 (D2022/12)– rule 52

PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 of the *Fair Work (Registered Organisations) Act 2009* and Regulation 138 of the *Fair Work (Registered Organisations) Regulations 2009*, with a request under Section 187 of the *Fair Work (Registered Organisations) Act 2009*

I, **David Nadeem Basheer**, being the **President** of the **Australian Hotels Association (SA Branch)** make the following statement:

1. I am authorised to sign this statement containing prescribed information for **Australian Hotels Association (SA 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. There are no rule alterations pending that will impact election.
5. This statement **IS** lodged at least 2 months before nominations open for the elections in Annexure A.

Signed:



DAVID NADEEM BASHEER

President
Australian Hotels Association South Australia Branch

Dated: 31st October 2023

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 Branch Committee of Management					
AHA SA	Councillor SA Branch District 1 City of Adelaide & North Adelaide	1	Direct	Term of office expired	All AHA SA financial members of District 1 <i>Australian Hotels Association South Australian Branch Rule 17(b)</i>
AHA SA	Councillor SA Branch District 2 Eastern Metro	1	Direct	Term of office expired	All AHA SA financial members of District 2 <i>Australian Hotels Association South Australian Branch Rule 17(b)</i>
AHA SA	Councillor SA Branch District 3 Western Metro	1	Direct	Term of office expired	All AHA SA financial members of District 3 <i>Australian Hotels Association South Australian Branch Rule 17(b)</i>
AHA SA	Councillor SA Branch District 4 Northern Metro	1	Direct	Term of office expired	All AHA SA financial members of District 4 <i>Australian Hotels Association South Australian Branch Rule 17(b)</i>
AHA SA	Councillor SA Branch District 5 Southern Metro	1	Direct	Term of office expired	All AHA SA financial members of District 5 <i>Australian Hotels Association South Australian Branch Rule 17(b)</i>
AHA SA	Councillor SA Branch District 6 Port Adelaide	1	Direct	Term of office expired	All AHA SA financial members of District 6 <i>Australian Hotels Association South Australian Branch Rule 17(b)</i>

AHA SA	Councillor SA Branch District 9 Hills	1	Direct	Term of office expired	All AHA SA financial members of District 9 <i>Australian Hotels Association South Australian Branch Rule 17(b)</i>
AHA SA	Councillor SA Branch District 13 Yorke Peninsula	1	Direct	Term of office expired	All AHA SA financial members of District 13 <i>Australian Hotels Association South Australian Branch Rule 17(b)</i>
AHA SA	Councillor SA Branch District 16 Port Augusta & Far North	1	Direct	Term of office expired	All AHA SA financial members of District 16 <i>Australian Hotels Association South Australian Branch Rule 17(b)</i>
AHA SA	Councillor SA Branch District 17 Whyalla	1	Direct	Term of office expired	All AHA SA financial members of District 17 <i>Australian Hotels Association South Australian Branch Rule 17(b)</i>
AHA SA	Councillor SA Branch District 18 South East	1	Direct	Term of office expired	All AHA SA financial members of District 18 <i>Australian Hotels Association South Australian Branch Rule 17(b)</i>
AHA SA	SA Accommodation Division	1	Direct	Term of office expired	All AHA SA financial members of SA Accommodation Division <i>Australian Hotels Association South Australian Branch Rule 17(b)</i>
AHA SA	President	1	Collegiate	Term of office expired	AHA SA Council (Branch Committee of Management) <i>Australian Hotels Association South Australian Branch Rule 22(a)</i>
AHA SA	Vice President	1	Collegiate	Term of office expired	AHA SA Council (Branch Committee of Management) <i>Australian Hotels Association South Australian Branch Rule 22(a)</i>

AHA SA	Deputy Vice President	1	Collegiate	Term of office expired	AHA SA Council (Branch Committee of Management) <i>Australian Hotels Association South Australian Branch Rule 22(a)</i>
AHA SA	Hon Secretary/Treasurer	1	Collegiate	Term of office expired	AHA SA Council (Branch Committee of Management) <i>Australian Hotels Association South Australian Branch Rule 22(a)</i>
AHA SA	Branch Trustees	5	Collegiate	Term of office expired	AHA SA Council (Branch Committee of Management) <i>Australian Hotels Association South Australian Branch Rule 22(a)</i>
AHA SA	Members of the Executive Committee	4	Collegiate	Term of office expired	AHA SA Council (Branch Committee of Management) <i>Australian Hotels Association South Australian Branch Rule 31</i>
AHA SA	National Board Delegate	1	Collegiate	Term of office expired	AHA SA Council (Branch Committee of Management) <i>Australian Hotels Association Rule 11.1 & 11.2</i>

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	<ul style="list-style-type: none"> • <i>Time and date for elections to be determined by the Australian Electoral Commission as per Australian Hotels Association South Australian Branch Rule 20 (a).</i> • <i>Nominations for SA Representative to the National Accommodation Division as per Australian Hotels Association 42 (c).</i> 	<ul style="list-style-type: none"> • <i>Elected Councillors will meet on Tuesday, 7 May 2024 @ 10.00 a.m. at the AHA SA, Level 4, 60 Hindmarsh Square to elect President, Vice President, Deputy Vice President, Hon Secretary/Treasurer, Trustees & Members of the Executive Committee. Australian Hotels Association South Australian Branch Rule 22(b).</i> • <i>Nominations for National Board delegate as per Australian Hotels Association Rule 11.1 & 11.2</i>
Nominations CLOSE	<ul style="list-style-type: none"> • <i>As determined by the Australian Electoral Commission as per Australian Hotels Association South Australian Branch Rule 20 (a)</i> 	<ul style="list-style-type: none"> • <i>Nominations for National Board delegate as per Australian Hotels Association Rule 11.1 & 11.2</i>

Roll of Voters cut off date	<ul style="list-style-type: none"> • <i>As determined by the Australian Electoral Commission as per Australian Hotels Association South Australian Branch Rule 20 (h) i.e. to be closed 7 days before the day on which nominations for the election open.</i> 	<ul style="list-style-type: none"> • <i>Nominations for National Board delegate as per Australian Hotels Association Rule 11.1 & 11.2</i>
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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.