



3 December 2015

Mr Peter Burnett
National President
Australian Hotels Association

aha@aha.org.au

Dear Mr Burnett,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Commission a declaration of results for the election [E2015/194]. This letter is a reminder of certain obligations imposed on organisations and persons elected to office.

Section 154D(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires the rules of organisations (and branches of organisations) to require 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 should be provided for in your organisation's rules.

Also, section 233(2) of the RO Act requires that an organisation must notify the Fair Work Commission (the Commission) within 35 days of any changes to the holders of office in the organisation. If the election has resulted in any changes to the holders of office, the Australian Hotels Association 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. I have attached a template notification of changes which may assist you. If any change does not apply until a specific date, you don't 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

Debbie Ball
Regulatory Compliance Branch

**NOTIFICATION OF CHANGES TO RECORDS (Changes to Records in the Annual Return)
required to be kept in accordance with section 230 *Fair Work (Registered Organisations)
Act 2009* and regulation 147 *Fair Work (Registered Organisations) Regulations 2009***

I, [NAME], being the [OFFICER] of the [ORGANISATION NAME], declare the following:

1. I am authorised to make this declaration.
2. The following is a correct statement of the changes made to the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the *Fair Work (Registered Organisations) Act 2009*:

[delete all that do not apply]

- On [DATE] the address of the organisation changed to [STREET ADDRESS].¹
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:²
 1. [include OLD name and address and NEW name and address of every branch that has changed]
 2. ...
- A list of changes to offices and the names, postal addresses and occupations of persons holding those offices is attached to this declaration at Annexure A and forms part of this declaration.
- On [DATE] the following branch[es]:³
 - COMMENCED/CEASED operation:
 1. [include name of each new branch]
 2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within 35 days of the change. It can be submitted to orgs@fwc.gov.au.]

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a) & (d)

³ s.230(1)(d); reg.147(b) & (c)

ANNEXURE A

- Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:

Please note the 35 days begins at the earliest event (for instance when the officer retires) and an organisation may need to notify the events separately if the appointment or election process will take longer than 35 days.

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Retiring</i>	<i>Full Name</i>	<i>c/- the Registered Organisation, postal address of Registered Organisation</i>	<i>Paid official</i>
	<i>25.12.2013</i>	<i>President</i>	<i>vacant</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
...							
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Resignation</i>	<i>Full Name</i>	<i>c/- the Branch, postal address of the Branch</i>	<i>mechanic</i>
		<i>Committee of Management Member</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
...							

Mr Stephen Ferguson
National CEO
Australian Hotels Association
Level 1 1 Little Collins St
MELBOURNE VIC 3000

Post Election Report For: Australian Hotels Association
Election E No 2015/194

I refer to the above election for your organisation.

Section 197(1) of Schedule 1 of the Fair Work (Registered Organisations) Act 2009 requires the AEC to provide a written report on the conduct of the election to the Industrial Registrar and to the organisation or branch for whom the election was conducted. A copy of the report in relation to this election is attached.

Section 198 of Schedule 1 requires that if an organisation or branch is given a post election report under section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take.

If the attached Report identifies a rule that was difficult to interpret or apply, you should forward your response to the AEC by email to 'industrial.elections@aec.gov.au' within thirty days of the date of the report.

Section 198 and the regulations also require an organisation to make the post election report and the organisation's response to the report (if applicable) available to members. Further, Regulation 141(4) of the Fair Work (Registered Organisations) Act 2009 requires an organisation or branch to publish a notice on its web site advising members that a copy of the post election report is available upon request. If a website is not available, publishing a notice in a journal or newsletter would be considered appropriate.

Please contact me if you wish to clarify any aspect of this report.

Ben Murray
Returning Officer
2 November 2015

POST ELECTION REPORT

AUSTRALIAN HOTELS ASSOCIATION

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2015/194

RULES

Rules used for the election: [024n: Incorporates alterations to the eligibility rules on 3/10/2014 in matter R2013/464]
Rules difficult to apply/interpret: None
Model Rule reference (if any): N/A

Ballot required

IRREGULARITIES

Details of written allegations of irregularities, Nil
and action taken by AEC:

Other irregularities identified, and action taken: Nil

ATTACHMENTS

Declaration of results for uncontested offices

Ben Murray
Returning Officer

2 November 2015



Reference: 15/293

Mr Stephen Ferguson
National CEO
Australian Hotels Association
PO Box 4286
MANUKA ACT 2603

Dear Mr Ferguson,

**Australian Hotels Association
National Board
E2015/194**

The declaration of the election for uncontested offices is attached.

The election is now complete.

Yours sincerely



Benjamin Murray
Returning Officer

2 November 2015

cc all candidates

Australian Hotels Association National Board

Declaration of Results for Uncontested Offices

E2015/194

Below are 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.

National Board

President

Candidates

BURNETT, Peter

Senior Vice-President

Candidates

LEACH, Scott

Vice-President

Candidates

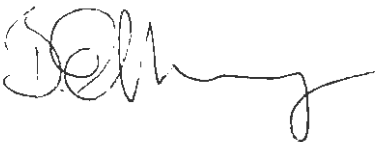
JUBB, Paul

Secretary / Treasurer

Candidates

WALLER, Colin

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



Benjamin Murray
Returning Officer

2 November 2015



Copy of Signed Decision

Title of Matter: Application/Notification by Australian Hotels Association
Section: s.189(1) RO Act - Notification of elections for office
Subject: National Board - President; Senior Vice-President; Vice President and Secretary/Treasurer
Matter Number(s): E2015/194

Dear Australian Electoral Commissioner via the Electoral Officer

Under subsection 189 of the *Fair Work (Registered Organisations) Act 2009*, please arrange for the conduct of the above election.

A copy of the Delegate's decision is attached for your information.

The relevant rulebook can be accessed via the Fair Work Commission's [website](#).

Contact: Mr Peter Burnett of the organisation, as per the prescribed information.

Please send the declaration(s) and post election report to the Fair Work Commission at orgs@fwc.gov.au.

Inquiries:

Any inquiries relating to this matter are to be directed to Carolyn Moloney through orgs@fwc.gov.au.

25 AUGUST 2015



Copy of Signed Decision

Title of Matter: Application/Notification by Australian Hotels Association
Section: s.189(1) RO Act - Notification of elections for office
Subject: National Board - President; Senior Vice-President; Vice President and Secretary/Treasurer
Matter Number(s): E2015/194

A copy of the Delegate's election decision in relation to the above matter is attached for your information.

Please note: Section 233(2) of the *Fair Work (Registered Organisations) Act 2009* requires details of changes to an organisation's records be declared to the Fair Work Commission. This includes changes resulting from the conduct of elections. Changes must be declared within 35 days of their occurrence.

Inquiries:

Any inquiries relating to this are to be directed to Carolyn Moloney
Phone: 02 8374 6510, email: carolyn.moloney@fwc.gov.au, Fax: 02 9380 6990.

25 AUGUST 2015



DECISION

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

Australian Hotels Association
(E2015/194)

MR ENRIGHT

MELBOURNE, 25 AUGUST 2015

Arrangement for conduct of election.

[1] On 3 August 2015 the Australian Hotels Association lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

National Board

President	(1)
Senior Vice-President	(1)
Vice-President	(1)
Secretary/Treasurer	(1)

[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 GENERAL MANAGER

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<Price code A, PR570918>



Copy of Prescribed Information

Title of Matter: Application/Notification by Australian Hotels Association
Section: s.189(1) RO Act - Notification of elections for office
Subject: National Board - President; Senior Vice-President; Vice President and Secretary/Treasurer
Matter Number(s): E2015/194

Attn: Electoral Officer

A copy of the Prescribed Information in relation to the above matter is attached for your information.

The prescribed information was lodged on 3 August 2015 and due to an administrative error it was not forwarded sooner. Please accept our apologies.

The election decision will be forwarded to your office in due course.

Inquiries:

Any inquiries relating to this are to be directed to: orgs@fwc.gov.au.

17 AUGUST 2015

Fair Work (Registered Organisations) Act 2009
Section 189(1);
Fair Work (Registered Organisations) Regulations 2009
Regulation 138

Prescribed Information
Elections in Australian Hotels Association
Officers of the National Board for 2015/2016

a) Name of each office for which election is required:

- President
- Senior Vice-President
- Vice President
- Secretary/Treasurer

b) Reasons for election:

Elections for these offices are required to be conducted annually and the terms of office are due to expire (see Rules, 14, 15 and 16)

It is intended that these elections will be conducted at the Annual Meeting of the Board to be conducted this year in Melbourne at the Victorian AHA Offices 1 Little Collins Street Melbourne on Monday 2 November 2015.

c) The number of offices to be filled:

One for each of the offices referred to in paragraph (a).

d) Date and time of the commencement and expiration of period for calling of nominations:

Either at the first meeting of the National Board following its election – Rule 15(b), or pursuant to Rule 16 in the case of a secret postal ballot.

e) The day provided in the Rules of the Organisation as the day on which the roll of voters is to close:

Not provided in the Rules, but see Rules 15 and 16 (collegiate election, not direct voting system).

f) Method of election:

Collegiate voting system.

The information referred to in this statement is lodged in accordance with Section 189(1) of the Act. I am an officer of the Organisation authorised to make this statement.



.....
Peter Burnett (President)

20 July 2015