



21 May 2019

Joanne Blair  
Secretary/Treasurer  
Australian Hotels Association-New South Wales Branch  
Sent via email: enquiries@ahansw.com.au

cc: Stephen Ferguson, Australian Hotels Association,  
ceo@aha.org.au

Dear Joanne Blair,

### **Reminder of actions required when persons elected to office**

The Australian Electoral Commission has provided the Registered Organisations Commission (the ROC) a declaration of results for the election of uncontested offices in matter E2018/241. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

#### A notice must be published on the organisation's website

The organisation or branch must, as soon as practicable after receiving the post-election report, publish on its website a notice that a copy of the report is available from the organisation, branch or the AEC on request. The notice must be kept on the website for a period of at least 3 months (see regulation 141 of the Fair Work (Registered Organisations) Regulations 2009).

#### Holders of office required to undertake approved training

Section 293K of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires 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 are provided for in the RO Act.

#### Organisation must notify the Commission of changes

Also, section 233(2) of the RO Act requires that an organisation must notify the Commission **within 35 days of any changes** to the holders of office in the organisation. **If there are no changes a notification is not required.** If the election has resulted in **any changes** to the holders of office, the Australian Hotels Association-New South Wales Branch 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. A template notification of changes, which may assist you, is attached. If any change does not apply until a date in the future, you do not 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.

Yours faithfully,

**Christine Hibberd**  
**Registered Organisations Commission**

23 April 2019

# Post-election report

**Australian Hotels Association -  
New South Wales Branch  
E2018/241**

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## Election(s) Covered in this Report

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Organisation: Australian Hotels Association – New South Wales Branch  
Election Decision Number(s): E2018/241

## Rules

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Rules used for the election: 024n: Incorporates alterations certified on 20/04/2017 in matters D2016/56 & R2016/145

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website:  
([https://www.aec.gov.au/About\\_AEC/AEC\\_Services/Industrial\\_Elections](https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections))

## Roll of Voters

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As there were no contested offices, no Roll of Voters was required.

## Irregularities

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

Other irregularities identified, and action taken:

## Other Matters

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Returning Officer actions required (Section 193): Yes

Details:

Rule 11 (g) (iv) "With such ballot paper, forward to each member a notification of the closing date for the receipt of returned ballot papers (which shall be not earlier than three (3) nor later than fourteen (14) days after the posting of the last such ballot papers)." *and* Rule 16 (3) (a) "of the closing date for the receipt by him of returned ballot papers (which shall be within 14 days after the posting of the last of such ballot papers)."

The above rules limit the ballot period to 14 days which is impracticable given Australia Post delivery times. Action was taken under Section 1931(b) of the Fair Work (Registered Organisations) Act 2009 to extend the ballot period by one week.

The registered rules of the Association are silent regarding the withdrawal of nominations consequently action was taken under Section 1931(b) of the Fair Work (Registered Organisations) Act 2009 to allow for the withdrawal of nominations up to the close of nominations and not beyond. It was advised to candidates in the election notice and on the nomination form that withdrawal of nominations will not be accepted after the close of nominations.

## Signed

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Kate Bernoth  
Returning Officer  
Australian Electoral Commission  
E: nswelections@aec.gov.au  
P: 02 9375 6375

23 April 2019

## Attachment

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- 1) Declaration of results for Uncontested Offices

## Attachment 1

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# Australian Hotels Association New South Wales Branch DECLARATION OF RESULTS - E2018/241 Uncontested Offices

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### 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:

#### NSW Branch Committee of Management

##### National Board Delegate (7)

Candidates

BLAIR Joanne  
DE WITH Rolly  
HARRIS Peter  
HUMPHREYS Lynette  
KENNEDY Des  
MALONEY Kim G.  
WEBSTER Phillip

#### National Accommodation Hotels Division

##### New South Wales Accommodation Hotels Division representative (2)

Candidates

PAGE Antony

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



Catherine Bernoth  
Returning Officer  
Telephone: 02 9375 6375  
Email: nswelections@aec.gov.au  
05/04/2019





## DECISION

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

**Australian Hotels Association**  
(E2018/241)

MR ENRIGHT

MELBOURNE, 20 DECEMBER 2018

*Arrangement for conduct of election.*

[1] On 14 November 2018 the New South Wales Branch of the Australian Hotels Association lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

National Board Delegate (7)  
(Sub-rule 11(aa)(A)(8) provides for eight (8) National Board Delegates, but only seven (7) elected offices are required because the Branch President serves *ex officio* as a Delegate to the National Board pursuant to sub-rule 11(aa)(D)).

National Accommodation Hotels Division  
New South Wales Accommodation Hotels Division representative (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.



ACTING COMMISSIONER

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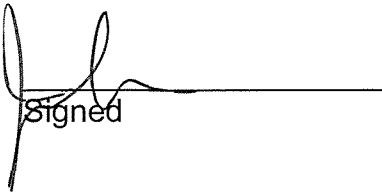


# STATEMENT OF PRESCRIBED INFORMATION FOR ELECTIONS

## SECTION 189 *FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009* AND REGULATION 138 *FAIR WORK (REGISTERED ORGANISATIONS)* *REGULATIONS 2009*

I, Joanne Blair, being the Secretary/Treasurer of the NSW Branch of the Australian Hotels Association NSW, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the New South Wales Branch of the Australian Hotels Association.
2. The following information is lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009*.
3. The elections that are required are set out in the table in Annexure A.
4. This statement is lodged at least two months before nominations open for the election below.

  
Signed

13-11-18.  
Date

**ANNEXURE A**

- Elections that are required

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
NSW	Representative to National Accommodation Hotels Division	2	Direct Voting System	Scheduled	The Accommodation Division of the New South Wales Branch of the Australian Hotels Association.  (See rr.42 (a) – (c) of the Australian Hotels Association Rules).

- Important dates:

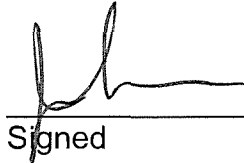
	Direct Voting Electoral System
<b>Nominations OPEN</b>	<i>Not Specified</i>
<b>Nominations CLOSE</b>	<i>Not less than 14 days, nor more than 30 days after the last nomination form is posted (rr.42(c) and 16 (a)).</i>
<b>Roll of Voters cut-off date</b>	<i>Seven days before the day upon which nominations for the election open (r.42(c)).</i>

# STATEMENT OF PRESCRIBED INFORMATION FOR ELECTIONS

## SECTION 189 FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009 AND REGULATION 138 FAIR WORK (REGISTERED ORGANISATIONS) REGULATIONS 2009

I, Joanne Blair, being the Secretary/Treasurer of the NSW Branch of the Australian Hotels Association NSW, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the New South Wales Branch of the Australian Hotels Association.
2. The following information is lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009*.
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Signed

13-11-18

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Date

**ANNEXURE A**

- Elections that are required

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
NSW	Delegate to National Board	8	Collegiate Electoral System	Scheduled	Members of the Branch Committee of Management, however, one of the offices is filled by the President of the Branch ex officio (see rr.11(aa)(A)(8), 11(aa)(D) and 11(f) of the Australian Hotels Association Rules).

- Important dates:

	Collegiate Electoral System
<b>Nominations OPEN</b>	At least 14 days prior to the first day of April 2018 (r.11(e)).
<b>Nominations CLOSE</b>	1 April 2018, or such later time as allowed by the Returning Officer (r.11(f)).
<b>Roll of Voters cut-off date</b>	Seven days before the day upon which nominations for the election open (r.11(e)).