



FAIR WORK
COMMISSION

27 March 2014

Mr Brad Watts
General Manager, Australian Capital Territory Branch
Australian Hotels Association
PO Box 3250
MANUKA ACT 2603

Dear Mr Watts,

Re: Annual Return of Information Contained in Records of Organisation - s233 Fair Work (Registered Organisations) Act 2009 - Australian Hotels' Association, Australian Capital Territory Branch (AR2014/159)

I refer to the declaration and copy of records providing information in accordance with sub-section 233(1) of the *Fair Work (Registered Organisations) Act 2009* ('the Act') which were lodged with the Fair Work Commission today, 27 March 2013.

The document lodged covers the following information:

- A record of the number of members as at 31 December 2013;
- A declaration that the register of members was kept and maintained as required by section 230(1)(a) and 230(2);
- A list of offices of the organisation and the persons holding those offices;
- A record of the address of the office of the organisation;
- A record in relation to elections due to be held in 2014.
- A certification that the particulars of the documents lodged are a correct statement of the information contained in the records of the organisation.

The documents have been filed.

Yours sincerely

Stephen Kellett
Senior Adviser
Regulatory Compliance Branch

From: KELLETT, Stephen
To: ["watts@actaha.org.au"](mailto:watts@actaha.org.au)
Subject: Annual return under s233 - filing
Date: Thursday, 27 March 2014 5:01:00 PM
Attachments: [AR2014_159_AHA ACT \(final\).pdf](#)

Dear Mr Watts,

Please see attached my letter in relation to the above.

Yours sincerely

STEPHEN KELLETT
Regulatory Compliance Branch
FAIR WORK COMMISSION

80 William Street
EAST SYDNEY NSW 2011

(ph) (02) 6723 7237
(email) stephen.kellett@fwc.gov.au

From: [KELLETT, Stephen](#)
To: [KELLETT, Stephen](#)
Subject: FW: Annual Return
Date: Thursday, 27 March 2014 4:32:03 PM
Attachments: [AHA ACT annual return of information 2014.pdf](#)

From: Brad Watts [mailto:watts@actaha.org.au]
Sent: Thursday, 27 March 2014 2:40 PM
To: KELLETT, Stephen
Subject: RE: Annual Return

Stephen,

Thank you again for your advice this afternoon.

As discussed, please find attached the AHA ACT Branch's Annual Return for 2014.

I look forward to providing a draft rule change document to you in the very near future.

Regards,

BRAD WATTS
GENERAL MANAGER

Australian Hotels Association (AHA) – ACT Branch

M: 0418 141 700

P: (02) 6273 6633 | F: (02) 6273 7439



www.actaha.org.au | twitter: [@AHAACT](#)

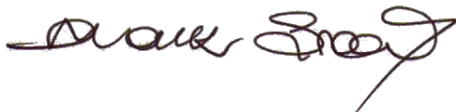
ANNUAL RETURN 2014

I, Mark Sproat, being the Honorary Secretary/Treasurer of the Australian Hotels Association (AHA) – Australian Capital Territory Branch (the Branch), do solemnly and sincerely declare that:

1. A register of members of the Branch has been kept and maintained during the immediately preceding calendar year (2013) as required by ss230 (1) (a) and (2).
2. The attached copy of records is a correct statement of information contained in those records.
3. A list of the offices of the Branch and the office holders is provided herewith in Schedule A as required by s230(1)(b) and s230(1)(c).
4. The Branch is located at Level 4, 24 Brisbane Avenue BARTON ACT 2600. Other contact information for the Branch is:

Postal: PO Box 3250 MANUKA ACT 2603
Telephone: (02) 6273 6633
Facsimile: (02) 6273 7439
Email: watts@actaha.org.au
Contact: Mr Brad Watts – General Manager

5. An election must be held in 2014 under the existing rules for the following offices:
 - Divisional Representatives to the Branch Board:
 - Ginninderra Division (1)
 - Brindabella Division (1)
 - Molonglo Division (4)
 - Accommodation Hotels Division (2)
 - Representative to the AHA National Accommodation Hotels Division (1)
 - President/Representative to the National Board (1)
 - Vice-President (1)
 - Secretary/Treasurer (1)
6. The number of members of the AHA ACT Branch at 31 December 2013 was 87.
7. There were no new branches or divisions established and no branches or divisions ceased to operate in 2013.

A handwritten signature in dark ink, appearing to read 'Mark Sproat'.

Mark Sproat
Secretary/Treasurer
27 March 2014

SCHEDULE A

Australian Hotels Association (AHA) – Australian Capital Territory Branch

Current List of Officers

The address for all persons named in Schedule A is 24 Brisbane Avenue BARTON ACT 2600.

The occupation for all persons named in Schedule A is 'Hotelkeeper'.

A list of the offices of the Branch and the office holders is provided herewith in Schedule A as required by s230(1)(b) and s230(1)(c).

- President
- Vice-President
- Secretary/Treasurer
- Molonglo - 4 Divisional Representatives;
- Gininderra - 1 Divisional Representative;
- Brindabella - 1 Divisional Representative; and
- Accommodation/Hotels - 2 Divisional Representatives.

Officer title	Name
President	Mr Michael CAPEZIO
Vice-President	Mr Manuel NOTARAS
Secretary Treasurer	Mr Mark SPROAT
Divisional Representative to the Board – Molonglo Division.	Mr Michael CAPEZIO
Divisional Representative to the Board – Molonglo Division.	Mr Manuel NOTARAS
Divisional Representative to the Board – Molonglo Division	Mr Peter BARCLAY
Divisional Representative to the Board – Molonglo Division.	Mr Josh GRAY
Divisional Representative to the Board – Gininderra Division.	Vacant
Divisional Representative to the Board – Brindabella Division.	Vacant
Divisional Representative to the Board – Accommodation/Hotels Division	Mr Mark SPROAT
Divisional Representative to the Board – Accommodation/Hotels Division	Vacant
Representative to the AHA National Accommodation Hotels Division	Mr Mark SPROAT



17 March 2014

Mr Brad Watts
General Manager
Australian Hotels Association-Australian Capital Territory Branch
Sent by email: watts@actaha.org.au

Dear Mr Watts

**Australian Hotels Association-Australian Capital Territory Branch
Annual Return of Information for 2014 [AR2014/159]**

I refer to our letter dated 18 February 2014 reminding you of the obligation to lodge an Annual Return of Information for 2014 in respect of the above by **31 March 2014**. While the branch has until the end of the month in which to lodge the information, we provide the following as a second and final reminder. Please ignore this letter if you have lodged the Annual Return for 2014 in the last few days.

A signed and dated declaration certifying matters prescribed in the *Fair Work (Registered Organisations) Act 2009* [the 'RO Act'] must be lodged with the Fair Work Commission ('the FWC') by that date. The matters to be included in the declaration are set out in the attached checklist.

The declaration must be signed by the Secretary, or where applicable, such other elected official who is required under the rules or by resolution of the organisation, to keep the relevant records. A declaration signed by a non-elected person does not meet this requirement. The Secretary or other prescribed officer must also notify the FWC within 35 days of any changes to such records.

Once an Annual Return or change of records has been lodged, a copy will be posted on our website at www.fwc.gov.au— under [Registered organisations - List of registered organisations](#). In order to protect the privacy of the relevant office holders listed in declarations, you may wish to list their official mailing address rather than personal home address.

We encourage you to lodge all returns electronically e.g. as pdf files at orgs@fwc.gov.au . Please ensure that emailed documents include signatures where required.

Please note: failure to comply with these obligations is subject to a civil penalty provision (up to \$51,000 for a body corporate and \$10,200 for an individual per contravention) - see s.305 of the RO Act. Further, in maintaining the register of members, your attention is drawn to s.171A of the RO Act that outlines the circumstances where membership ceases to exist.

Please do not hesitate to contact me on (03) 8661 7936 or by e-mail at robert.pfeiffer@fwc.gov.au if you wish to discuss the requirements outlined in this correspondence.

Yours sincerely

Robert Pfeiffer
Senior Adviser
Regulatory Compliance Branch

Obligation to lodge Annual Return of Information by 31 March

For full details see ss.230-233 of the *Fair Work (Registered Organisations) Act 2009* (the 'RO Act'), and rr.147-151 of the *Fair Work (Registered Organisations) Regulations 2009* (the 'RO Regulations').

A copy of each of the following records must be lodged with the Fair Work Commission ('The Commission') between 1 January and 31 March each year. They must be certified by a declaration stating that it is a correct statement of the information contained in that record, signed by the Secretary or such other elected official who is required under the rules, or by resolution of the organisation, to keep the relevant records (**other prescribed officer** see r.150 of the RO Regulations).

Failure to comply with these obligations is subject to a civil penalty provision – see s.305 of the RO Act.

Requirement	Details of requirement
Maintenance of Register of Members	A declaration by the Secretary or other prescribed officer certifying that the register of members has, during the immediately preceding calendar year, been kept and maintained as required by ss.230(1)(a) and (2) [s.233(1)(a)] Note: In maintaining the register of members, your attention is drawn to s.171A of the RO Act that outlines the circumstances where membership ceases to exist.
List of Offices	A list of the offices in the organisation and each branch (note the definition of office and officer in ss.6 and 9) [s.230(1)(b)]
List of Office holders	A list of the names, postal addresses and occupations of the persons holding the offices (note the definition of office and officer in ss.6 and 9) [s.230(1)(c)]
List of Branches	A record of the name of each branch of the organisation [s.230(1)(d) and r.147(a)]
New Branches	A record of the name of each branch that commenced operation in the previous 12 months [s.230(1)(d) and r.147(b)]
Old Branches	A record of the name of each branch that ceased operation in the previous 12 months [s.230(1)(d) and r.147(c)]
Addresses of Organisation and Branches	A record of the address of the office of the organisation and the address of the office of each branch [s.230(1)(d) and r.147(d)]
Elections in Organisation and Branches	A record of each election that must, under the rules of the organisation, be held during the year commencing 1 January of the year in which the return is lodged, for any offices in the organisation and branches of the organisation . [s.230(1)(d) and r.147(e)] Note: this provision does not relieve an organisation or branch from the separate requirement to lodge prescribed information prior to each election, as required by s.189 of the RO Act
Statement concerning number of members	A record of the number of members on 31 December in the previous year; and If the organisation has entered into an agreement relating to members of State unions under s.151(1) of the RO Act,- a record of the number of members of the organisation who were (on 31 December in the previous year) ineligible State members in relation to the organisation within the meaning of s.150 of the RO Act. [s.230(1)(d) and rr.147(f) and (g)]

Obligation to notify of changes within 35 days

If there are any changes during the year to the list of offices, list of officeholders, list of branches (where relevant) and the address of the organisation and/or its branches an organisation must, within 35 days of the change, lodge with The Commission, a notification of such changes certified by declaration signed by the secretary or other prescribed officer of the organisation to be a correct statement of the changes made [RO Act s.233(2) and RO Regulations r.151 refer].



18 February 2014

Mr Brad Watts
General Manager
Australian Hotels Association - Australian Capital Territory Branch

Sent by email: watts@actaha.org.au

Dear Mr Watts

**Australian Hotels Association - Australian Capital Territory Branch
Annual Return of Information for 2014 [AR2014/159]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2014 in respect of the above by **31 March 2014**.

A signed and dated declaration certifying matters prescribed in the *Fair Work (Registered Organisations) Act 2009* [the 'RO Act'] must be lodged with the Fair Work Commission ('the Commission') by that date. The matters to be included in the declaration are set out in the attached checklist.

The declaration must be signed by the Secretary, or where applicable, such other elected official who is required under the rules or by resolution of the organisation, to keep the relevant records (other prescribed officer). A declaration signed by a non-elected person does not meet this requirement. The Secretary or other prescribed officer must also notify the Commission within 35 days of any changes to such records.

Once an Annual Return or change of records has been lodged, a copy will be posted on the Commission's website at www.fwc.gov.au— under [Registered organisations - List of registered organisations](#). In order to protect the privacy of the relevant office holders listed in the declarations, you may wish to list their official mailing address rather than personal home address.

The Commission encourages you to lodge all returns electronically e.g. as pdf or tif files at orgs@fwc.gov.au. Please ensure that emailed documents include signatures where required.

Please note: failure to comply with these obligations is subject to a civil penalty provision (up to \$33,000 for a body corporate and \$6,600 for an individual per contravention), see s.305 of the RO Act. Further, in maintaining the register of members, your attention is drawn to s.171A of the RO Act that outlines the circumstances where membership ceases to exist.

Should you seek any clarification in relation to the above, please contact Mr Robert Pfeiffer on (03) 8661 7936 or via email at robert.pfeiffer@fwc.gov.au.

Yours sincerely

Ingrid Fraser
Adviser
Regulatory Compliance Branch

Obligation to lodge Annual Return of Information by 31 March

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