



8 May 2018

Ms Jo Broad
General Manager
Australian Hotels Association-Australian Capital Territory Branch
actaha@actaha.org.au

Dear Ms Broad,

cc: Australian Hotels Association, aha@aha.org.au

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 stages 1 and 2 uncontested offices for Australian Capital Territory Branch [E2017/256]. 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 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-Australian Capital Territory 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.

Regards

Christine Hibberd
Registered Organisations Commission

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 operation:
 1. *[include name of each new branch]*
 2. ...
 - CEASED operation:
 1. *[include name of each closed branch]*

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)

2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

*[PLEASE NOTE: This declaration must be submitted to the Registered Organisations Commission within **35 days** of the change. It can be submitted to regorgs@roc.gov.au.]*

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	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</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>Full Name</i>	<i>As above</i>	<i>mechanic</i>
<i>...</i>						
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</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>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
<i>...</i>						

3 May 2018

Post-election Report

Australian Hotels Association- Australian Capital
Territory Branch – Scheduled Election E2017/256

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Election(s) Covered in this Report

Election Decision No/s: E2017/256

Rules

Rules used for the election: [024n: Incorporates alterations certified on 20/04/2017 in matters D2016/56 & R2016/145] National Rules and
024N-ACT: Incorporates alterations of 5 February 2018
[R2017/239] Replaces rulebook dated 13 June 2014
[R2014/150] ACT Branch

Rules difficult to apply/interpret: (None)

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

Roll of Voters

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

Irregularities

Details of written allegations of irregularities, and action taken by AEC: None

Other irregularities identified, and action taken: N/A

Other Matters

None

Attachments

- 1) Declaration of results for Uncontested Offices – Stage 1
- 2) Declaration of Results for Uncontested Offices – Stage 2



Noopur Madan
Returning Officer

3 May 2018

Australian Hotels Association
Australian Capital Territory Branch
DECLARATION OF RESULTS - E2017/256
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:

AHA ACT Branch Board

President/ Representative to the National Board

Candidates

CAPEZIO, Michael

Vice-President

Candidates

BARCLAY, Peter

Secretary/ Treasurer

Candidates

GRAY, Joshua

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



Noopur Madan
Returning Officer
Australian Electoral Commission
26/04/2018

Australian Hotels Association
Australian Capital Territory Branch
DECLARATION OF RESULTS - E2017/256
Uncontested Offices Stage 1

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:

Divisional Representatives to the Branch Board

ACT Division (6)

Candidates

QUINN, David
CAPEZIO, Michael
SMITH, Brian
BARCLAY, Peter
GRAY, Josh

Accommodation/Hotels Division (2)

Candidates

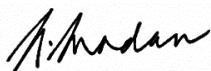
HANDY, Todd

Representatives to the AHA National Accommodation Hotels Division (1)

Candidates

HANDY, Todd

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



Noopur Madan
Returning Officer
Australian Electoral Commission
10 April 2018



DECISION

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

Australian Hotels Association
(E2017/256)

MR ENRIGHT

MELBOURNE, 6 FEBRUARY 2018

Arrangement for conduct of election.

[1] On 16 January 2018 the Australian Capital Territory Branch of the Australian Hotels Association lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Divisional Representatives to the Branch Board

ACT Division	(6)
Accommodation/Hotels Division	(2)
Representative to the AHA National Accommodation Hotels Division	(1)
<u>Executive</u>	
President/Representative to the National Board	(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 COMMISSIONER

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From: Jo Broad <gm@actaha.org.au>
Sent: Tuesday, 16 January 2018 3:11 PM
To: ROC - Registered Org Commission
Cc: Anthony Brierley
Subject: E2017/256 AHA ACT - Notification of election for offices
Attachments: AHA ACT Notification of Election - Prescribed Information 2018.pdf

Dear Registered Organisation Commission,

Please find attached the prescribed information for the election of offices [E2017/256] for the Australian Hotels Association ACT Branch.

Any questions, please contact me on the details provided below.

Kind regards,
Jo

JO BROAD
GENERAL MANAGER

Australian Hotels Association (AHA) - ACT Branch
M: 0418 141 700 | P: (02) 6273 6633



16 January 2018

Mr Sam Lynch
Registered Organisations Commission (ROC)
Via Email: regorgs@roc.gov.au

Dear Mr Lynch,

NOTIFICATION OF 2018 AHA ACT BRANCH ELECTION

Please find enclosed notification of intention to conduct elections for the Australian Capital Territory Branch of the Australian Hotels Association (AHA).

The enclosed prescribed information has been provided in accordance the *Fair Work (Registered Organisations) Act 2009* (RO Act).

Yours sincerely,



Michael Capezio
AHA ACT President

WRITTEN STATEMENT

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, Michael Capezio, being the President of the Australian Hotels Association ACT Branch, make the following statement:

1. I am authorised to sign this statement containing prescribed information for ACT Branch of the Australian Hotels Association.
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. This statement **IS** lodged at least 2 months before nominations open for the election below.



Michael Capezio
AHA ACT President

FIRST STAGE

PRESCRIBED INFORMATION for AHA ACT Branch

Positions for which elections are required:

- ACT Division – Six representatives to the Branch Board
- Accommodation Hotels – Two representatives to the Branch Board
- Accommodation Hotels – Representative to the AHA National Accommodation Hotels Division.

Under Rule 15(2)(c)(i), if a Division is entitled to one representative, the elected representative shall also be known as the President of that Division.

Under Rule 15(2)(c)(ii), if a Division is entitled to two or more representatives and:

- a) There is a ballot, the representative with the most votes shall be known as the Divisional President and the representative with the second largest number of votes shall be known as the Vice-President; or
- b) The number of representatives do not exceed the number of representatives to be elected, the first nominated Divisional Representative shall be known as the Divisional President and the second nominated representative shall be known as the Divisional Vice-President.

The reason for the election is that the terms are due to expire under the normal course of events under the rules of the organisation.

The electorate for the representatives from each division to the Branch Board are the members of that division. The voting system is a direct voting system.

The electorate for the Representative to the National Accommodation Hotels Division is the members from the AHA ACT Accommodation Hotels Division. The voting system is a Direct Voting System.

It is proposed that nominations for Stage One Elections will open on March 20, 2018 and close on April 2, 2018, providing the minimum 14 days as required by AHA National Rule 16.

In relation to the election for the Divisional Representatives on the Branch Board and the representative to the National Accommodation Hotels Division, the roll of voters for those offices closes 7 days before nominations open.



Michael Capezio
AHA ACT President

SECOND STAGE

PRESCRIBED INFORMATION

Position	Number
• President / Representative to the National Board <i>Collegiate Voting System</i>	1
• Vice President <i>Collegiate Voting System</i>	1
• Secretary / Treasurer <i>Collegiate Voting System</i>	1

The reason for the election is that the terms are due to expire in the normal course of events under the rules of the organisation.

The electorate for the positions President/Delegate to the National Board, Vice President and Secretary/Treasurer is the members of the AHA ACT Board.

Assuming the prior completion of Stage One elections, it is proposed that the Second Stage elections will take place at the meeting of the AHA ACT Board after completion of Stage One.

The date is yet to be determined but will be held at the AHA ACT offices at 27 Murray Crescent, Griffith 2603.



Michael Capezio
AHA ACT President

svc-adlib5

From: Jo Broad <gm@actaha.org.au>
Sent: Monday, 8 January 2018 2:29 PM
To: GALLICHIO,Sam
Subject: RE: Election Alert [SEC=UNCLASSIFIED]

Sam,
Thank you for sending this through. I will provide prescribed information this week.
Kind regards,
Jo

BROAD
GENERAL MANAGER

Australian Hotels Association (AHA) - ACT Branch
M: 0418 141 700 | P: (02) 6273 6633



From: GALLICHIO,Sam [mailto:Sam.Gallichio@roc.gov.au]
Sent: Monday, 8 January 2018 2:27 PM
To: 'gm@actaha.org.au' <gm@actaha.org.au>
Subject: Election Alert [SEC=UNCLASSIFIED]

Dear Jo,
Please find attached an election alert email as discussed.

Kind Regards

SAM GALLICHIO

Adviser

Education & Reporting

Tel: (03) 9954 2931

sam.gallichio@roc.gov.au

The Registered Organisations Commission

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Australian Government

Registered Organisations Commission

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4 December 2017

Ms Jo Broad
General Manager
Australian Hotels Association-Australian Capital Territory Branch
By email: actaha@actaha.org.au

CC: AEC Returning Officer by email: industrial.elections@aec.gov.au

Dear Ms Broad,

Courtesy Letter - Election for offices [E2017/256]

The rules of the Australian Hotels Association-Australian Capital Territory Branch indicate that an election for offices within the branch is due to commence shortly for:

- Board Members
- Branch Executive
- Rep to NAHD
- ACT Delegate to National Board

It appears that nominations for the election for the above-named offices open in March next year.

Reminder: prescribed information must be lodged

This is a courtesy letter to remind you of your obligation to lodge information about the election (known as the 'prescribed information') pursuant to sub-sections 189(1) and (2) of the *Fair Work (Registered Organisations) Act 2009* (the 'Act') within the month. Prescribed information must be lodged with the Registered Organisations Commission (the ROC) two months before nominations open for the election.

If you do NOT agree that an election is due

If you have a different interpretation for the commencement of the election or the offices due for election under your rules, please let the ROC know on regorgs@roc.gov.au as soon as possible.

If you agree that an election is due

If you agree that an election is due, the prescribed information must be lodged within the month. The prescribed information should contain details of the election as required by regulation 138(1) of the *Fair Work (Registered Organisations) Regulations 2009* (the 'Regulations'), and any subsequent collegiate elections, if that is relevant. A sample of the prescribed information can be found on our website at <http://www.roc.gov.au/resources-and-decisions/fact-sheets-templates-and-webinars>.

The prescribed information should be emailed to regorgs@roc.gov.au. When lodging the prescribed information, please quote [E2017/256].

If you are unable to lodge the prescribed information on time

If your branch believes that it will be unable to comply with the prescribed day as set out in the Regulations, it will need to apply to the Commissioner within the month for a later date. Such request will need to set out in detail the reason why your organisation is unable to comply with the

requirement. While the Commissioner will consider such an application, there is no assurance that consent to a later day will be allowed.

Penalties apply

It should be noted Section 189(2) is a civil penalty provision. Failure for an organisation to lodge prescribed information at least two months before nominations open may result in legal proceedings being issued with the possibility of a pecuniary penalty being imposed upon an officer and/or the organisation.

The ROC intends to continue to provide reminders that an election is due as a courtesy. However failure to receive a reminder from the ROC cannot be relied on as a reason for late, incorrect or non-lodgment of prescribed information. The obligation to lodge prescribed information consistent with the Act and the rules of the organisation rests with the organisation.

Insufficient nominations

If there are insufficient nominations, or if a casual vacancy arises after the conduct of this election, then those unfilled or vacated offices must be filled in accordance the organisation's rules, and in any event in a timely manner.

Should you seek any clarification in relation to the above, please contact the ROC on regorgs@roc.gov.au.

Yours faithfully,

Sam Lynch
Registered Organisations Commission