

Australian Hotels Association, NSW Branch

Scheduled Election - National Board Delegates E2012/289

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

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.

E2012/289

Branch Committee of Management

Delegates to National Board (in addition to Branch President) (7)

Candidates

BEDWANI, George
DE WITH, Rolly
HUMPHREYS, Lynette
MALONEY, Kim
PARRAS, Colin
RENDALL, Andrew
WALLER, Colin William

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

Kathleen Fogarty
Returning Officer

28 June 2012



Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Client: Australian Hotels Association - NSW Branch

Contact details: Mr. Paul Nicolaou
Chief Executive Officer
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Sydney NSW 2000

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Tel: 02 8218 1832

AIR contact officer: Larry Powell

Email: industrial.elections@air.gov.au

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2012/289

RULES

Rules used for elections Rule ID: [024N: - incorporates alterations of 20/12/2011]
(R2011/241)

Rules difficult to apply/interpret: Nil

Model Rule reference (if any):

ROLL OF VOTERS

As there were no contested offices, no roll of voters was required.

ALLEGATIONS OF IRREGULARITIES RECEIVED

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

Other irregularities identified, and action taken: Nil

ATTACHMENTS

A: Declaration of Uncontested Offices – E2012/289

Kathleen Fogarty
Returning Officer
28 June 2012



FAIR WORK
AUSTRALIA

DECISION

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

Australian Hotels Association
(E2012/289)

AILS A CARRUTHERS

MELBOURNE, 31 MAY 2012

Arrangement for conduct of election.

[1] On 30 May 2012 the Australian Hotels Association - New South Wales Branch lodged with Fair Work Australia the prescribed information in relation to an election for the following offices arising from insufficient nominations in E2012/222:

National Board Delegates (in addition to Branch President) (7)

[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
FAIR WORK AUSTRALIA

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30 May 2012

Ms. Bernadette O'Neill
General Manager
Fair Work Australia
Level 4, 11 Exhibition Street
MELBOURNE VIC 3001

Dear Ms. O'Neill,

Re: Election of AHA NSW Branch Delegates to AHA National Board (Election E2012/222)

We refer to the above election and the attached declaration of results. As can be seen from the attached declaration, no nominations were received by the cut-off time for close of nominations for this election.

It is our understanding that a number of potential candidates sought to nominate, but failed to do so before the close of nominations. I understand that the nominations by these potential candidates were only one day late.

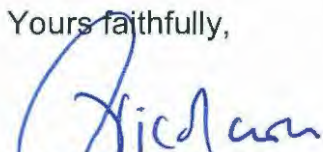
This is a regrettable situation, but one stemming from a misunderstanding on the part of potential candidates.

As there is no provision in the relevant rules that deals with this situation, we have enclosed a revised s189 Prescribed Information Document and request that the conduct of a further election be arranged.

I respectfully point out that the offices in question are for representatives of the New South Wales Branch to the National Board. Unless these offices are filled the New South Wales Branch will have no representation at the next National Board annual meeting, apart from the President of the Branch who is a member of the National Board ex officio.

We thank you for your consideration of this request.

Yours faithfully,



PAUL NICOLAOU
Chief Executive Officer

Encl.

Australian Hotels Association, NSW Branch

Scheduled Election - National Board Delegates E2012/222

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

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.

E2012/222

Branch Committee of Management

Delegates to National Board (in addition to Branch President) (7)

No nominations were accepted.

I declare no candidates elected.

Kathleen Fogarty
Returning Officer

14 May 2012

Fair Work (Registered Organisations) Act 2009 (Cth)

Section 189 (1);

Fair Work (Registered Organisations) Regulations 2009

Regulation 138;

Prescribed Information

**Election in Australian Hotels Association, New South Wales Branch –
Delegates to National Board for 2012**

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

- Delegates of the Australian Hotels Association, New South Wales Branch, to the National Board of the National Organisation.

(b) Reasons for election:

- Election is required to be conducted annually (see Rule 11 (aa) of the Rules of the Australian Hotels Association);
- The term of each current office is due to expire in the normal course, in the normal course of events at the Annual meeting of the Board in 2012 (date yet to be fixed);
- No nominations received in Election E2012/222.

(c) The number of offices to be filled:

- Eight (8) (See Rule 11(aa)(A) (8) and Rule 11 (aa) (C) of the Rules of the Australian Hotels Association);
- Note: One of these offices is filled by the President of the Branch ex officio – (See Rule 11 (aa) (D) of the Rules of the Australian Hotels Association.

(d) The name of the branch, section or division to which the election relates:

- The Branch Committee of Management of the New South Wales Branch of the Australian Hotels Association.

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

- The commencement of the period for calling nominations is at least 14 days prior to the first day of April (See Rule 11 (e) of the Rules of the Australian Hotels Association);
- The expiration of the period for calling of nominations is 1 April (See Rule 11 (f) of the Rules of the Australian Hotels Association).

It is noted that an election to determine the Branch Committee of Management will take place on 17 April 2012. On that basis, it is submitted that the Returning Officer delay the conduct of the election and/or the closing of nominations. The Returning Officer is permitted to do so under Rule 11 (f) of the Rules of the Australian Hotels Association.

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

- Seven (7) days before the day upon which nominations for the election open – see Rule 11 (e).

(g) Method of election

- Collegiate voting system;
- Secret postal ballot.

The information referred to in this statement is lodged in accordance with s.189 (1) of the *Fair Work (Registered Organisations) Act 2009*.

I am an officer of the Branch authorised to make this statement pursuant to Rule 28.8 of the Rules of the New South Wales Branch of the Australian Hotels Association.



COLIN WALLER
Secretary/Treasurer



DATE