

## **Australian Hotels Association SA Branch Council Elections Stage 3**

### **DECLARATION OF RESULTS FOR UNCONTESTED OFFICES**

Results of the election for the following offices conducted in accordance with the provisions of Section 189(3) of the Fair Work (Registered Organisations) Act 2009 and the rules of the organisation.

**E2013/E114**

#### **Branch Committee of Management**

**Delegate to National Board representing the SA Branch**

Candidate

BASHEER, David

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



Louise Ann McCoy  
Returning Officer

28 May 2013

**Australian Hotels Association  
SA Branch Council Election Stage 2**

**DECLARATION OF RESULTS FOR UNCONTESTED OFFICES**

Results of the election for the following offices conducted in accordance with the provisions of Section 189(3) of the Fair Work (Registered Organisations) Act 2009 and the rules of the organisation.

**E2013/114**

**South Australian Branch Council**

**Branch President**

Candidate

HURLEY, Peter

**Branch Vice-President**

Candidate

BASHER, David

**Branch Deputy Vice-President**

Candidate

BINNS, Matthew Spencer

**Branch Secretary-Treasurer**

Candidate

LOVELL, Rick

**Branch Executive Committee Members**

Candidate

BRANSON, Chris

**Branch Trustees (5)**

Candidates

BASHEER, David

BINNS, Matthew Spencer

BRANSON, Christ

ELLIS, Jeff

JAMES, Alison

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



Louise Ann McCoy  
Returning Officer

7 May 2013

# Australian Hotels Association SA Branch Council Election Stage 1

## DECLARATION OF RESULTS FOR CONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of Section 189(3) of the Fair Work (Registered Organisations) Act 2009 and the rules of the organisation.

E2013/114

### District No. 3 - Western Metropolitan

|   |           |
|---|-----------|
| Total number of persons on the roll of voters                   | 29        |
| Ballot papers issued  | 29        |
| Duplicate ballot papers issued                                  | 0         |
| <b>TOTAL BALLOT PAPERS ISSUED</b>                               | <b>29</b> |
| Ballot papers / envelopes returned for scrutiny                 | 9         |
| Less ballot papers / envelopes rejected at preliminary scrutiny | 0         |
| Adjusting Balance   | 0         |
| <b>TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY</b>                 | <b>9</b>  |
| Percentage of ballot papers returned to number issued           | 31%       |
| Ballot papers returned as unclaimed mail                        | 9         |
| Ballot papers not returned                                      | 11        |

### Branch Councillor

| <u>Candidates</u>      | <u>First Preference Votes</u> | <u>Votes</u> |
|------------------------|-------------------------------|--------------|
| FRANZON, James         | 3                             | 3            |
| WILLIAMS, Craig        | 6                             | 6            |
| Exhausted Votes        |                               | 0            |
| Loss/Gain by Fraction  |                               | 0            |
| Total votes            | 9                             | 9            |
| Formal ballot papers   | 9                             | 9            |
| Informal ballot papers | 0                             | 0            |

I declare **Craig Williams** elected.



Louise Ann McCoy  
Returning Officer  
Australian Electoral Commission

# **Australian Hotels Association**

## **SA Branch Council Election Stage 1**

### **DECLARATION OF RESULTS FOR UNCONTESTED OFFICES**

Results of the election for the following offices conducted in accordance with the provisions of the Section 189(3) of the Fair Work (Registered Organisations) Act 2009 and the rules of the organisation.

E2013/114

#### **District No. 1 - City of Adelaide and North Adelaide Branch Councillor**

Candidate

FAHEY, Jason

#### **District No. 2 - Eastern Metropolitan Branch Councillor**

Candidate

BINNS, Matthew Spencer

#### **District No. 4 - Northern Metropolitan Branch Councillor**

Candidate

GUNN, Andrew

#### **District No. 5 - Southern Metropolitan Branch Councillor**

Candidate

JAMES, Alison

#### **District No. 6 - Port Adelaide Branch Councillor**

Candidate

ELLIS, Jeff

**District No. 8 - Southern Coast  
Branch Councillor**

Candidate

MCCAULEY, Melinda

**District No. 10 - Lower North  
Branch Councillor**

No nomination was received

**District No. 15 - Peterborough  
Branch Councillor**

Candidate

BRANSON, Chris

**South Australian Accommodation Hotels Division  
Representative**

Candidate

NORSELL, Peer

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



Louise Ann McCoy  
Returning Officer

22 March 2013



GPO Box 344  
ADELAIDE SA 5001



Level 9, Origin Energy Building  
1 King William Street  
ADELAIDE SA 5000

**Reference:** SA 2013/08

**Contact:** Louise Ann McCoy  
Phone: 08 8237 6560  
Facsimile: 08 8237 6584  
E-mail: [louise.mccoy@aec.gov.au](mailto:louise.mccoy@aec.gov.au)

Mr Ian Horne  
Chief Executive Officer  
Australian Hotels Association  
60 Hindmarsh Square  
ADELAIDE SA 5000

**Post Election Report For: Australian Hotels Association – South Australian Branch  
Election E2013/114**

I refer to the above election for your organisation.

Section 197(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 the Fair Work (Registered Organisations) Act 2009 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) Regulations 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.

Louise McCoy  
Returning Officer  
29 May 2013



Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Australian Hotels Association  
South Australian Branch

**ELECTION COVERED IN THIS REPORT**

Election Decision No: E2013/114

**RULES**

Rules used for the election: National: 024N: Incorporates alterations of 20 December 2011 (R2011/241); SA Branch: 024N-SA: Incorporates alterations of 7 June 2007  
Rules difficult to apply/interpret: None  
Model Rule reference (if any): N/A

**ROLL OF VOTERS**

Total number of voters on the Roll for the Contested Ballot: 29 (District 3 – Western Metro)  
Number of apparent workplaces addresses: 29  
Number of non-current addresses: Nil  
Other matters pertaining to the roll of voters: Nil

**ALLEGATIONS OF IRREGULARITIES RECEIVED**

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

**ATTACHMENTS**

Declaration of Results Report – Uncontested Offices Stage 1  
Declaration of Results Report – Contested Offices Stage 1  
Declaration of Results Report – Uncontested Offices Stage 2  
Declaration of Results Report – Uncontested Offices Stage 3

Louise McCoy  
Returning Officer  
29 May 2013





## DECISION

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

**Australian Hotels Association**  
(E2013/114)

AILSA CARRUTHERS

MELBOURNE, 18 FEBRUARY 2013

*Arrangement for conduct of election.*

[1] On 31 January 2013 the South Australian Branch of the Australian Hotels Association lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

One Branch Councillor from each of the following Districts:

District No. 1  
District No. 2  
District No. 3  
District No. 4  
District No. 5  
District No. 6  
District No. 8  
District No. 10  
District No. 15

Branch President/Delegate to National Board  
Branch Vice-President  
Branch Deputy Vice-President  
Branch Secretary-Treasurer  
Branch Trustees (5)  
Branch Executive Committee Members (number to be determined in accordance with rules)

Delegate to the National Board representing the South Australian Branch  
South Australian Representative to the National Accommodation Hotels Division

[2] The Branch was informed that the prescribed information was not lodged before the day prescribed by Regulation 138(3) of the *Fair Work (Registered Organisations) Regulations 2009*. That day is the day occurring 2 months before the first day when a person

may, under the rules of the organisation or branch, become a candidate in the election. The Branch then asked me to allow a later day for lodgment of the prescribed information under subsection 189(2) of the Act. Having considered the reasons for late lodgment, I allow lodgment on 31 January 2013 in this instance.

[3] 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 COMMISSION

Printed by authority of the Commonwealth Government Printer

<Price code A, PR534218>

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4th Floor, AHA (SA) House  
60 Findmarsh Square  
Adelaide SA 5000

PO Box 3092  
Rundle Mall SA 5000

18 February, 2013

Fair Work Commission  
11 Exhibition Street  
MELBOURNE VIC 3000

**Attention: Ms. Melissa Garcia**

Dear Ms Garcia

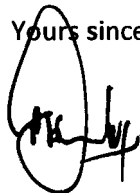
**Re: Election (E2013/114)**

The AHA|SA would like to apply for an extension of time to lodge the Prescribed Information under subsection 189(2) of the Fair Work (Registered Organisations) Act 2009, as per your correspondence of 18 February 2013.

The reason for the application of an extension of time is that we have in previous years always lodged our Annual Returns and Prescribed Information on 31 January with the Fair Work Commission. Our lodgement has always been followed up with either a telephone call or email to ensure that we were complying correctly and we were assured that we were.

We will ensure that all our future Annual Returns and Prescribed Information will be lodged by 15 January as now instructed.

Yours sincerely



**PETER HURLEY**  
President



ABN 77 237 576 146

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4th Floor, AHA (SA) House  
60 Hindmarsh Square  
Adelaide SA 5000

PO Box 3092  
Rundle Mall SA 5000

31 January, 2013

Fair Work Commission  
11 Exhibition Street  
MELBOURNE VIC 3000

Forwarded herewith for filing in accordance with sub-section 189 of the Fair Work (Registered Organisations) Act 2009, the information for the election of officers for the Australian Hotels Association (SA Branch), SA Accommodation Division Representative and National Board Delegate.

Yours sincerely,

A handwritten signature in black ink, which appears to read 'Peter Hurley'. The signature is written in a cursive style with a large, looping 'H' and a long, sweeping tail.

**P.J. HURLEY**  
President



## AUSTRALIAN HOTELS ASSOCIATION (SA)

### Prescribed Information for Elections (s 189 (1) of the Fair Work (Registered Organisations) Act 2009

|     |   |
|-----|---|
| (a) | Elections are required for the positions referred to in Schedule B & C ( <i>see attached</i> ).   |
| (b) | The reason for the elections as per Schedule B & C attached.  |
| (c) | <p>Elections are required for (as per Schedule C attached):</p> <ul style="list-style-type: none"> <li>• President (1)</li> <li>• Vice President (1)</li> <li>• Deputy Vice President (1)</li> <li>• Hon Secretary/Treasurer (1)</li> <li>• Branch Trustees (5)</li> <li>• Members of the Executive Committee (<i>number to be determined by Council in accordance with Rules</i>)</li> </ul>   |
| (d) | <ul style="list-style-type: none"> <li>• Election is for members of the AHA SA branch and the Committee of the AHA SA Branch.</li> <li>• Branch Councillors are elected by and from their respective District as numbered in Schedule B (Branch Rule 17(b))</li> <li>• The South Australian Representative to the National Accommodation Division is elected by and from the Members of the South Australian Accommodation Hotels Division (National Rule 42 C)</li> <li>• The Delegate to the National Board representing the South Australian Branch is elected by and from the Branch Committee (National Rules 11 (f) and (g)).</li> <li>• All of the Offices specified in Schedule C are elected by and from the Branch Council (Branch Rule 22 (a)).</li> </ul>                           |
| (e) | <p>AHA SA members will elect AHA SA Councillors.</p> <ul style="list-style-type: none"> <li>• Time and date for elections for AHA SA Councillors, SA Accommodation Representative and National Board Delegate will be determined by the Australian Electoral Commission.</li> <li>• Nominations for Branch Councillors are called in the month of February and must be received no later than 15 March (or the following Monday if the 15<sup>th</sup> falls on a weekend) (Branch Rule 20 (a)).</li> <li>• Nominations for the Representative to the National Accommodation Division shall close not less than 14 and not more than 30 days after the last of the nomination forms are posted. No date is provided for the opening of nominations (National Rules 42 © and 16 (a)).</li> </ul> |

|     |   |
|-----|---|
|     | <ul style="list-style-type: none"> <li>• Nominations for the National Board Delegate are called at least 14 days prior to 1 April and must be received on or before 1 April (National rules 11 (e) and (f)).</li> </ul> <p>Elected Councillors will meet on <b>Tuesday, 7 May 2013</b> at the AHA SA, Level 4, 60 Hindmarsh Square at 10.00 a.m. to elect:</p> <ul style="list-style-type: none"> <li>• President (1)</li> <li>• Vice President (1)</li> <li>• Deputy Vice President (1)</li> <li>• Hon Secretary/Treasurer (1)</li> <li>• Trustees (5)</li> <li>• Member of the Executive Committee (number to be determined by Council in accordance with Rules)</li> </ul> |
| (f) | <p>The roll of voters for any ballot for any direct voting system election required under these rules is to be closed 7 days before the day on which the nominations for the election open, as determined by the Australian Electoral Commission.</p>   |
| (g) | <p>The kind of voting system to be used in the conduct of the election is:</p> <ul style="list-style-type: none"> <li>(i) A direct voting system in respect of Schedule B attached, with the exception of the National Board delegate which is a collegiate electoral system.</li> <li>(ii) A collegiate electoral system in respect of Schedule C attached.</li> </ul>   |



**SCHEDULE B**  
**2013**

**AUSTRALIAN HOTELS ASSOCIATION (SA BRANCH)**

| <b>Name of Office</b>                    | <b>Reason for Election</b> | <b>Name of Branch Section or Division</b>          | <b>No. of Offices</b> |
|--|----------------------------|--|-----------------------|
| Councillor SA Branch                     | Term of office expired     | Region 1<br><i>(Adelaide &amp; North Adelaide)</i> | 1                     |
| Councillor SA Branch                     | Term of office expired     | Region 2<br><i>(East Metro)</i>                    | 1                     |
| Councillor SA Branch                     | Term of office expired     | Region 3<br><i>(West Metro)</i>                    | 1                     |
| Councillor SA Branch                     | Term of office expired     | Region 4<br><i>(North Metro)</i>                   | 1                     |
| Councillor SA Branch                     | Term of office expired     | Region 5<br><i>(South Metro)</i>                   | 1                     |
| Councillor SA Branch                     | Term of office expired     | Region 6<br><i>(Port Adelaide)</i>                 | 1                     |
| Councillor SA Branch                     | Term of office expired     | Region 8<br><i>(Southern Coast)</i>                | 1                     |
| Councillor SA Branch                     | Term of office expired     | Region 10<br><i>(Lower North)</i>                  | 1                     |
| Councillor SA Branch                     | Term of office expired     | Region 15<br><i>(Upper North East)</i>             | 1                     |
| SA Accommodation Division Representative | Term of office expired     |  | 1                     |
| National Board Delegate                  | Term of office expired     |  | 1                     |

**PETER HURLEY**  
President



**SCHEDULE C**  
**2013**

**AUSTRALIAN HOTELS ASSOCIATION (SA BRANCH)**

| <b>NAME OF OFFICE</b>                 | <b>REASON FOR ELECTION</b> | <b>NAME OF BRANCH<br/>SECTION OR<br/>DIVISION</b> | <b>NO. OF OFFICE</b>  |
|---------------------------------------|----------------------------|---|---|
| President                             | Term of office expired     | Council   | 1   |
| Vice President                        | Term of office expired     | Council   | 1   |
| Deputy Vice President                 | Term of office expired     | Council   | 1   |
| Hon Secretary/Treasurer               | Term of office expired     | Council   | 1   |
| Trustees                              | Term of office expired     | Council   | 5   |
| Members of the Executive<br>Committee | Term of office expired     | Council   | Number to be determined by<br>Council in accordance with<br>Rules |

**PETER HURLEY**  
President