



2 December 2015

Mr Ian Horne
General Manager
Australian Hotels Association-South Australian Branch

ihorne@ahasa.asn.au

Dear Mr Horne,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Commission a declaration of results for the election [E2014/236]. This letter is a reminder of certain obligations imposed on organisations and persons elected to office.

Section 154D(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires the rules of organisations (and branches of organisations) to require 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 should be provided for in your organisation's rules.

Also, section 233(2) of the RO Act requires that an organisation must notify the Fair Work Commission (the Commission) within 35 days of any changes to the holders of office in the organisation. If the election has resulted in any changes to the holders of office, the Australian Hotels Association-South Australian 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. I have attached a template notification of changes which may assist you. If any change does not apply until a specific date, you don't 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

Debbie Ball
Regulatory Compliance Branch

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/CEASED operation:
 1. [include name of each new branch]
 2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within 35 days of the change. It can be submitted to orgs@fwc.gov.au.]

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)

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	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Retiring</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>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
...							
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Resignation</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>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
...							

Australian Hotels Association SA Branch Council Election Stage 1

Declaration of Results for Uncontested Offices

E2014/236

Below are 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.

District No. 1 - City of Adelaide and North Adelaide

Branch Councillor

Candidates

BASHEER, David

District No. 2 - Eastern Metropolitan

Branch Councillor

Candidates

LOVELL, Rick

District No. 3 - Western Metropolitan

Branch Councillor

Candidates

FRANCON, Anthony

District No. 4 - Northern Metropolitan

Branch Councillor

Candidates

KELLY, Jason

District No. 5 - Southern Metropolitan

Branch Councillor

Candidates

HURLEY, Peter John

District No. 6 - Port Adelaide

Branch Councillor

Candidates

BRIEN, Matthew

District No. 9 - Hills

Branch Councillor

Candidates

LUNNISS, Michael

District No. 13 - Yorke Peninsula

Branch Councillor

Candidates

EVANS, Trevor

District No. 16 - Port Augusta and Far North

Branch Councillor

Candidates

DAVIES, Mark Ian

District No. 17 - Whyalla

Branch Councillor

Candidates

MATTHEWS, Scott Seymour

District No. 18 - South Eastern

Branch Councillor

Candidates

MATTHEWS, Guy S

South Australian Accommodation Hotels Division

Representative

Candidates

NORSELL, Peer

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



Jeanette Hill
Returning Officer

16 March 2015



24 November 2014

Mr Peter Hurley
Branch President
South Australian Branch
Australian Hotels Association
PO BOX 3092 Rundle Mall
ADELAIDE SA 5000

Also by email: [REDACTED]
Cc: Andrew Hill, National Secretary - [REDACTED]
Cc: Thomas McGuire, QLD Branch Secretary - [REDACTED]

Dear Mr Hurley

Arrangements for the conduct of an election (E2014/236)

I refer to the prescribed information dated 12 November 2014 which was lodged with the Fair Work Commission on 12 November 2014 for a scheduled election of the South Australian Branch of the Australian Hotels Association (AHA).

A copy of the decision in relation to the above matter is enclosed.

The Fair Work Commission is making arrangements, under subsections 189(3) of the *Fair Work (Registered Organisations) Act 2009*, with the Electoral Commissioner for the conduct of the subject election by a member of staff of the Australian Electoral Commission, who will contact you in the near future about the election.

During the process of checking requirements for this election, it came to my attention that rule 11 of the AHA National rulebook contains provisions that have been superseded. For example:

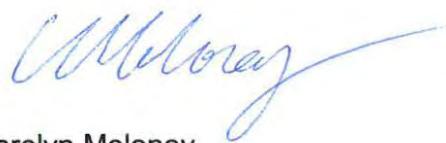
- sub-rule 11(aa)(A) provides for elections conducted subsequent to 2005; and
- sub-rule 11(aa)(B) provides for elections conducted in 2006, 2007 and 2008

Similarly, the Australian Electoral Commission also noted, in their post-election report for the AHA Queensland Branch election in E2013/140, that there is confusion - though not direct conflict - in National rules 11(a) and 11(aa)(D) in relation to which officers are to serve ex-officio as National Board Delegates.

In order to reduce potential confusion in the rulebook and to assist the process of future elections, it is recommended that the AHA make rule alterations under s.159 of the *Fair Work (Registered Organisations) Act 2009* to delete provisions in rule 11 of the AHA National rulebook that no longer apply. It is recommended that you discuss this matter with the National Board in order to make the appropriate alterations.

Please do not hesitate to contact me if you require any assistance with this matter.

Yours sincerely



Carolyn Moloney
Assistant Adviser,
Regulatory Compliance Branch, NSW
Fair Work Commission



DECISION

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

Australian Hotels Association
(E2014/236)

MR ENRIGHT

MELBOURNE, 24 NOVEMBER 2014

Arrangement for conduct of election.

[1] On 12 November 2014 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:

Branch Councillors from each of the following Districts:

District 1	(1)
District 2	(1)
District 3	(1)
District 4	(1)
District 5	(1)
District 6	(1)
District 9	(1)
District 13	(1)
District 16	(1)
District 17	(1)
District 18	(1)

Branch President / Delegate to the National Board	(1)
Branch Vice-President	(1)
Branch Deputy Vice-President	(1)
Branch Secretary-Treasurer	(1)
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 (1)

South Australian Representative to the National Accommodation Hotels Division (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 GENERAL MANAGER

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Copy of Signed Decision

Title of Matter: Application/Notification by Australian Hotels Association-South
Australian Branch
Section: s.189(1) RO Act - Notification of elections for office
Subject:
Matter Number(s): E2014/236

Dear Australian Electoral Commissioner via the Electoral Officer

Under subsection 189 of the *Fair Work (Registered Organisations) Act 2009*, please arrange for the conduct of the above election.

A copy of the Delegate's decision is attached for your information.

The relevant rules can be accessed via the [website](#).

Contact: Mr Ian Horne of the organisation, as per the prescribed information.

Please send the declaration(s) and post election report to the Fair Work Commission at orgs@fwc.gov.au.

Inquiries:

Any inquiries relating to this matter are to be directed to Carolyn Moloney through orgs@fwc.gov.au.

24 NOVEMBER 2014



FairWork
Commission

Copy of Prescribed Information

Title of Matter: Application/Notification by Australian Hotels Association-South Australian Branch
Section: s.189(1) RO Act - Notification of elections for office
Subject:
Matter Number(s): E2014/236

Attn: Electoral Officer

A copy of the Prescribed Information in relation to the above matter is attached for your information.

The election decision will be forwarded to your office in due course.

Inquiries:

Any inquiries relating to this are to be directed to: orgs@fwc.gov.au.

12 NOVEMBER 2014

MOLONEY, Carolyn

From: Angela Xenides [REDACTED]
Sent: Wednesday, 12 November 2014 10:37 AM
To: Orgs
Subject: AHA|SA Prescribed Information for Elections 2015



AHA SA
scribed Informatio

Re: Australian Hotels Association (SA Branch)

Please find attached:

- **Cover letter**
- **Prescribed Information for elections for the AHA|SA for 2015**
- **Schedule B & C**

Kindly confirm receipt of the above by return email and please do not hesitate to contact me if you would like further clarification or if anything further is required.

Kindest Regards

angela xenides

Executive Assistant to CEO - Australian Hotels Association (SA)

[REDACTED] [REDACTED]
PO Box 3092 RUNDLE MALL SA 5000
www.ahasa.asn.au

ABN 77 247 576 146

Telephone 08 8230 4555

Toll Free

Facsimile

Email

Web www.ahasasa.com.au

4th Floor - AHA (SA) House
66 Hindmarsh Square
Adelaide SA 5000

PO Box 29/2
Kundle MUI SA 5000

12 November, 2014

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 for 2015.

Yours sincerely



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"> • President (1) • Vice President (1) • Deputy Vice President (1) • Hon Secretary/Treasurer (1) • Branch Trustees (5) • Members of the Executive Committee (<i>number to be determined by Council in accordance with Rules</i>)
(d)	<ul style="list-style-type: none"> • Election is for members of the AHA SA branch and the Committee of the AHA SA Branch. • Branch Councillors are elected by and from their respective District as numbered in Schedule B (Branch Rule 17(b)) • 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) • 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)). • All of the Offices specified in Schedule C are elected by and from the Branch Council (Branch Rule 22 (a)).
(e)	<p>AHA SA members will elect AHA SA Councillors.</p> <ul style="list-style-type: none"> • Time and date for elections for AHA SA Councillors, SA Accommodation Representative and National Board Delegate will be determined by the Australian Electoral Commission. • 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 15th falls on a weekend) (Branch Rule 20 (a)). • 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)).

	<ul style="list-style-type: none"> • 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)). <p>Elected Councillors will meet on Tuesday, 5 May 2015 at the AHA SA, Level 4, 60 Hindmarsh Square at 10.00 a.m. to elect:</p> <ul style="list-style-type: none"> • President (1) • Vice President (1) • Deputy Vice President (1) • Hon Secretary/Treasurer (1) • Trustees (5) • Member of the Executive Committee (number to be determined by Council in accordance with Rules)
(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"> (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. (ii) A collegiate electoral system in respect of Schedule C attached.



**SCHEDULE B
2015**

AUSTRALIAN HOTELS ASSOCIATION (SA BRANCH)

Name of Office	Reason for Election	Name of Branch Section or Division	No. of Offices
Councillor SA Branch	Term of office expired	Region 1 <i>(Adelaide & North Adelaide)</i>	1
Councillor SA Branch	Term of office expired	Region 2 <i>(East Metro)</i>	1
Councillor SA Branch	Term of office expired	Region 3 <i>(West Metro)</i>	1
Councillor SA Branch	Term of office expired	Region 4 <i>(North Metro)</i>	1
Councillor SA Branch	Term of office expired	Region 5 <i>(South Metro)</i>	1
Councillor SA Branch	Term of office expired	Region 6 <i>(Port Adelaide)</i>	1
Councillor SA Branch	Term of office expired	Region 9 <i>(Hills)</i>	1
Councillor SA Branch	Term of office expired	Region 13 <i>(Yorke Peninsula)</i>	1
Councillor SA Branch	Term of office expired	Region 16 <i>(Port Augusta)</i>	1
Councillor SA Branch	Term of office expired	Region 17 <i>(Whyalla)</i>	1
Councillor SA Branch	Term of office expired	Region 18 <i>(South 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
2015

AUSTRALIAN HOTELS ASSOCIATION (SA BRANCH)

NAME OF OFFICE	REASON FOR ELECTION	NAME OF BRANCH SECTION OR DIVISION	NO. OF OFFICE
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
Branch Trustees	Term of office expired	Council	5
Members of the Executive Committee	Term of office expired	Council	Number to be determined by Council in accordance with Rules

PETER HURLEY
President