

24 March 2020

Post-election report

Australian Hotels Association

Tasmanian Hospitality Association

Scheduled election

E2019/184

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Election(s) Covered in this Report

Organisation: Tasmanian Hospitality Association (THA)
Election: Scheduled
Election Decision No/s: E2019/184

Rules

Rules used for the election:

Tasmanian Hospitality Association
[024N-TAS: Incorporates alterations of 01/04/2010][R2010/27] (replaces 21/12/09 version)

Australian Hotels Association
024N: Incorporates alterations of 24 June 2019 [R2019/50]
(replaces rulebook dated 20 April 2017 [D2016/56 & R2016/145])

Rules difficult to apply/interpret: Nil

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website:

https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections

Roll of Voters

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

Irregularities

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

Other irregularities identified, and action taken: Nil

Other Matters

Returning Officer actions required (Section 193): Yes

Details: For the election of State Council, Rule 14 (j) (IV) states that the ballot will open within 7 days of nominations closing and Rule 14 (j) (V) states that the ballot will close no later than 7 days after the posting of the last of the ballot papers. The THA may wish to amend this Rule to allow the Returning Officer to determine the ballot period to allow sufficient time for the remedy of defective nominations and ballot pack preparation and mailing.

Alternatively the THA may wish to set the ballot period as per the following example: the ballot will open within 3 weeks of nominations closing and the ballot will be open for at least 3 weeks.

Signed



Allison Valentine
Returning Officer
Australian Electoral Commission
E: vicelections@aec.gov.au

P: 03 9285 7177

24 March 2020

Attachments

A. Declaration of Results for Uncontested Offices – Stage 1

**Australian Hotels Association
Tasmanian Hospitality Association
DECLARATION OF RESULTS - E2019/184 - Stage 1
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:

Pub/Tavern Division

Division President/Branch Vice President (1)

Candidates

No Nominations Received

Representative to State Council from South (telephone prefix 62) (4)

Candidates

BROWN Darren
FUGLSANG Philip
JUBB Paul

Representative to State Council form North (telephone prefix 63) (3)

Candidates

BURT Margaret

Representative to State Council from North West (telephone prefix 64) (2)

Candidates

CARPENTER Ben

Accommodation Hotels Division

Division President/Branch Vice President (1)

Candidates

DABNER John

Representative to State Council form South (telephone prefix 62) (1)

Candidates

RICHARDS Shelley

Representative to State Council from North West and North (telephone prefix 64 and 63) (1)

Candidates

DABNER John

Restaurant Division

Division President/Branch Vice President (1)

Candidates

No Nominations Received

Representative to State Council from South (telephone prefix 62) (2)

Candidates

No Nominations Received

Representative to State Council from North West and North (telephone prefix 64 and 63) (2)

Candidates

No Nominations Received

National Accommodation Hotels Division

Representative to National Accommodation Hotels Division (1)

Candidates

DABNER John

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



Allison Valentine
Returning Officer
Telephone: 03 9285 7177
Email: vicelections@aec.gov.au

17/01/2020



B. Declaration of Results for Uncontested Offices – Stage 1 RECALL

**Australian Hotels Association
Tasmanian Hospitality Association
DECLARATION OF RESULTS - E2019/184
Uncontested Offices**

Scheduled Election Stage 1 - Recall

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:

Pub/Tavern Division

Division President/Branch Vice President (1)

Candidates

KELLY Martin

Representative to State Council from South (telephone prefix 62) (1)

Candidates

BERECHREE Jocelyn

Representative to State Council from North (telephone prefix 63) (2)

Candidates

KELLY Martin

Representative to State Council from North West (telephone prefix 64) (1)

Candidates

No Nominations Received

Restaurant Division

Division President/Branch Vice President (1)

Candidates

FRARACCIO Angelo

Representative to State Council from South (telephone prefix 62) (2)

Candidates

FRARACCIO Angelo

Representative to State Council from North West and North (telephone prefix 64 and 63) (2)

Candidates

BEST Michael

CADLE Mark

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



Allison Valentine
Returning Officer

Telephone: 03 9285 7177
Email: vicelections@aec.gov.au

12/02/2020





4 March 2020

Paul Jubb
Tasmanian Branch President
Australian Hotels Association - Tasmanian Hospitality Association
Sent via email: enquiries@tha.asn.au

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

Dear Paul Jubb,

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 uncontested offices in matter E2019/184. 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, as soon as practicable after receiving the post-election report, 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 - Tasmanian Hospitality Association 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.

Yours sincerely

Registered Organisations Commission

**Australian Hotels Association
Tasmanian Hospitality Association**
DECLARATION OF RESULTS - E2019/184 - Stage 2
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:

President (1)

Candidates

JUBB Paul

Treasurer (1)

Candidates

FUGLSANG Philip

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



Ann Dougan for
Allison Valentine
Returning Officer
Telephone: 03 9285 7177
Email: vicelections@aec.gov.au
27/02/2020





DECISION

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

Australian Hotels Association (E2019/184)

MR ENRIGHT

MELBOURNE, 1 November 2019

Arrangement for conduct of election.

[1] On 7, 9, 18 and 23 October 2019 the Tasmanian Hospitality Association of the Australian Hotels Association lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

President	(1)
Treasurer	(1)

Division President/Branch Vice President from the following Divisions:

Pub/Tavern	(1)
Accommodation Hotels	(1)
Restaurant	(1)

Representatives to State Council from the following Divisions:

Pub/Tavern Division from the following regions:

South (telephone prefix 62)	(4)
North (telephone prefix 63)	(3)
North West (telephone prefix 64)	(2)

Accommodation Hotels Division from the following regions:

South (telephone prefix 62)	(1)
North West and North (telephone prefix 64 and 63)	(1)

Restaurant Division from the following regions:

South (telephone prefix 62)	(2)
North West and North (telephone prefix 64 and 63)	(2)

Representative to National Accommodation Hotels Division	(1)
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[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

Printed by authority of the Commonwealth Government Printer

PR351499

[2019] ROCD 182

The attached document replaces the document previously issued with the above code on 1 November 2019.

The document has been corrected to change:

Delegate to National Accommodation Division (1)

to:

Representative to National Accommodation Hotels Division (1)

By: Andrea O'Halloran

**Lawyer / Senior Adviser, Compliance & Investigations
Registered Organisations Commission**

Date: 16 January 2020

Restaurants - 4 to be elected

- 2 South (telephone prefix 62)
- 2 North West and North (telephone prefix 64 & 63)

Delegates to National Accommodation Division to be elected under the Direct voting system

- 1 – to be elected

3. The elections that are required are set out in the table in Annexure A.
4. No rule alterations are pending that will impact the election.
5. This statement **IS** lodged at least 2 months before nominations open for the election(s) in Annexure A.

Signed: 

Dated: 23rd October, 2019

NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@roc.gov.au.

Annexure A

- Elections that are required [insert as many pages as required]

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
Tasmania	President	1	Collegiate	Scheduled	All State Council members
	Treasurer	1	Collegiate	Scheduled	All State Council members
	Division President/Branch Vice Presidents	3	DVS	Scheduled	Members of Pub/Tavern, Accommodation and Restaurant Divisions. 1 – Pub/Tavern 1 – Accommodation Hotels 1 – Restaurant
	Division Representatives	15 (incl Presidents) made up of below	DVS	Scheduled	All Pub/Tavern, Accommodation and Restaurant members of the association in the South, North and North West Divisions. See details below.
	Pub/Tavern	9	DVS	Scheduled	All Pub/Tavern members of the association 4 - South (telephone prefix 62 - South) 3 - North (telephone prefix 63 - North) 2 - North West (telephone prefix 64 – North-West)
	Accommodation	2	DVS	Scheduled	All Accommodation members of the association 1 - South (telephone prefix 62 - South) 1 - North West and North (telephone prefix 64 and 63)

	Restaurants	4	DVS	Scheduled	All Restaurant members of the association 2 - South (telephone prefix 62) 2 - North West and North (telephone prefix 64 & 63)
	Delegates to National Accommodation Division	1	DVS	Scheduled	Members of the accommodation division 1 – to be elected

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	To be determined by the Returning Officer	To be determined by the Returning Officer
Nominations CLOSE	To be determined by the Returning Officer	To be determined by the Returning Officer
Roll of Voters cut-off date	To be closed 7 days before the day on which nominations for the election open	To be determined by the Returning Officer

NOTES: For insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as 'To be determined by the returning officer'. This also applies where rules are silent as to the nominated dates.

If the nomination dates are 'To be Determined by the Returning Officer', but your organisation has a *preference*, please state 'To be Determined by Returning Officer' and clearly indicate that your nominated date is a preference.

If the P.I. includes a position that is not an office, please refer to our template [Prescribed information for the election of officer and non-officer positions](#)