



9 December 2016

Mr Peter Burnett
President
Australian Hotels Association-Victorian Branch
Email: aha@ahavic.com.au

Dear Mr Burnett

Organisation must respond to the post-election report of the Australian Electoral Commission: E2016/133

On 24 November 2016 the Fair Work Commission (the Commission) received a post election report from the Australian Electoral Commission (AEC) for election E2016/133 dated 24 November 2016. The AEC will have also provided the report to the organisation under section 197 of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The report identifies rules that were difficult to interpret or apply, in particular rule 15. This letter serves as a reminder of the obligations imposed on the organisation or branch as a consequence of the AEC's report. If a response has already been sent to the AEC and made available to all members please disregard this letter.

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 regs 141(4) and (5)).

A written response must be provided to the AEC

A written response must be provided to the AEC within 30 days of receipt of the report. The organisation's response must include whether the organisation or branch intends to take action and if so what action the organisation or branch intends to take (s198(2)).

Extract of report must be made available to members

The organisation or branch must make the section of the report relating to the difficult rules available to its members (s198(3)). This extract from the report must be made available to the members before or at the same time as the organisation's response is made available to members.

Written response must be made available to members

A copy of the organisation's response to the AEC must be made available to members either:

- within 30 days after the response is given to the AEC, or
- published in the next edition of the organisation or branch journal (s198(5))

Subsection 198(6) and regulation 142 prescribe ways in which the relevant extract and the copy of the response can be made available to members. These do not limit the ways in which they can be made available to members. The organisation will comply if it does all of the following:-

- publish the report extract and the copy of the response in the next edition of the organisation or branch's journal; and

- within 30 days of giving the response to the AEC:
 - lodges with the Commission a copy of the relevant extract and response, together with a declaration that a copy will be provided to any member who so requests; and
 - give notice in the next edition of the organisation or branch's journal, or an appropriate newspaper, that a copy of the relevant extract and response are available on request to each member free of charge; and
- publish the relevant extract on the website within 14 days after receiving the report, and publish the response on the website within 14 days of giving the response to the AEC (reg 142(2)).

Penalties may apply

If the organisation or branch does not:

- respond to the AEC within 30 days,
- make the extract of the report relating to the rules available to members no later than the organisation's response is made available to members, or
- make the organisation's response available to members within 30 days or in the next edition of the journal,

the organisation may face penalties under the RO Act. Each requirement listed above is a civil penalty provision that may result in fines for the organisation

As noted above, if the response and report have already been made available to members and the AEC, please disregard this letter. If you have any questions in relation to these obligations please contact the Commission for assistance by email to orgs@fwc.gov.au.

If the organisation or branch decides to alter its rules in response to the AEC's report

If the organisation or branch decides to alter its rules in response to the AEC's report, the Regulatory Compliance Branch of the Commission is able to provide advice and assistance regarding draft alterations, as well as about the processes required to make the alterations. We encourage the organisation or branch to forward drafts of proposed alterations to orgs@fwc.gov.au

Yours sincerely

Michael Moutevelis

Regulatory Compliance Branch

svc-adlib5

From: Allison Valentine <Allison.Valentine@aec.gov.au>
Sent: Thursday, 24 November 2016 4:41 PM
To: Orgs; Paddy O'Sullivan; Industrial Elections
Subject: E2016/133 Australian Hotels Association - Post Election Report
[SEC=UNCLASSIFIED]
Attachments: PER AHA Vic Branch E2016-133.pdf; Declaration UNCONTESTED - Stage 1.pdf;
Declaration Contested & Uncontested.pdf; Declaration Stage 2 19 A.pdf
Categories: RIA

UNCLASSIFIED

Dear Orgs Team,
Please find attached the Post Election Report for the above named election.

Regards,
Allison

Allison Valentine | Senior Returning Officer
Industrial and Commercial Elections | VIC State Office
Australian Electoral Commission
T: (03) 9285 7177 | F: (03) 9285 7149



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Mr Paddy O'Sullivan
Chief Executive Officer
Australian Hotels Association Victoria
Level 1, 1 Little Collins St
MELBOURNE VIC 3000

Post Election Report For: **Australian Hotels Association Victoria**

Election E2016/133

I refer to the above election for your organisation.

Section 197(1) of Schedule 1 of the Fair Work (Registered Organisations) Act 2009 requires the AEC to provide a written report on the conduct of the election to Fair Work Australia 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 Schedule 1 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) Act 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.



Allison Valentine
Returning Officer

24 November 2016

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Australian Hotels Association Victoria

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: *E2016/133*

RULES

Rules used for the election: [024N-VIC: - Incorporates alterations of 28/06/2004]
[R2004/308] (replaces in16/11/2001 version)

Rules difficult to apply/interpret: 1) Rule 15 *Election of Members of Council* stipulates that nominations are to be posted or hand delivered to the registered office of the Association.

The AHA may wish to consider including alternative means of delivery such as fax and email and also changing this rule to require the lodgement of nominations directly with the Returning Officer.

2) Rule 15 *Nominations (6) and (7)* does not allow for progressive markback of envelopes at the direction of the Returning Officer. If a ballot were to occur provision for progressive markback and preliminary scrutiny facilitates the counting of votes following the ballot close.

Model Rule reference (if any): 1) NIL

2) 17.2 *Preliminary Scrutiny of Envelopes*

ROLL OF VOTERS

Total number of voters on the Roll: 56

Number of apparent workplace addresses: Nil

Number of non-current addresses: Nil

Other matters pertaining to the roll of voters: Nil

IRREGULARITIES

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

Other irregularities identified, and action taken: Nil

ATTACHMENTS

1. Stage 1 - Uncontested Declaration - Councillors
2. Stage 2 – Contested and Uncontested Declaration – Committee of Management
3. Stage 2 – Uncontested Declaration – Councillors



Allison Valentine
Returning Officer

24 November 2016



12 October 2016

Mr Peter Burnett
President
Australian Hotels Association-Victorian Branch
Email: aha@ahavic.com.au

Dear Mr Burnett,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Fair Work Commission (the Commission) a declaration of results for the election [E2016/133] for the Victorian Branch. 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 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.

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-Victorian 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;

Level 10, Terrace Tower
80 William Street
East Sydney NSW 2011

Telephone: (02) 8374 6666
Email : orgs@fwc.gov.au
Internet : www.fwc.gov.au

- 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

Michael Moutevelis

Regulatory Compliance Branch

svc-adlib5

From: Allison Valentine <Allison.Valentine@aec.gov.au>
Sent: Tuesday, 11 October 2016 12:55 PM
To: Orgs
Subject: E2016/133 - Australian Hotels Association - Stage 1 and 2 [SEC=UNCLASSIFIED]
Attachments: Declaration UNCONTESTED - Stage 1.pdf; Declaration Contested & Uncontested.pdf; Declaration Stage 2 19 A.pdf

Categories: RIA

UNCLASSIFIED

Dear Orgs Team,
Please find attached declarations for the above named election as follows:

- Stage 1 - Councillors positions
- Stage 2 - Committee of Management
- Stage 2 - Councillors positions filled under Rule 19A

Please let me know if you have any queries.

Regards,
Allison

Allison Valentine | Returning Officer
Industrial and Commercial Elections | VIC State Office
Australian Electoral Commission
T: (03) 9285 7177 | F: (03) 9285 7149



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Australian Hotels Association Stage 1 - Councillors

Declaration of Results for Uncontested Offices

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.

Country Division - Alexandra/Healesville Zone Branch Councillor

Candidates

THOMAS , Darren

Country Division - Ararat Zone Branch Councillor

Candidates

No nomination was received

Country Division - Bacchus Marsh Zone Branch Councillor

Candidates

No nomination was received

Country Division - Bairnsdale Zone Branch Councillor (2)

Candidates

JONES, Rachel

No further nomination was accepted

Country Division - Ballarat North Zone Branch Councillor (2)

Candidates

LARKIN, Ian

WILSON, Gary

**Country Division - Ballarat South Zone
Branch Councillor (2)**

Candidates

CANNY , David John
QUINLAN, Danny

**Country Division - Bellarine Zone
Branch Councillor (2)**

Candidates

No nominations were received

**Country Division - Bendigo East Zone
Branch Councillor**

Candidates

No nomination was received

**Country Division - Bendigo West Zone
Branch Councillor**

Candidates

SHEEHAN, Patrick

**Country Division - Birchip/Charlton Zone
Branch Councillor**

Candidates

No nomination was received

**Country Division - Castelmaine/Maryborough Zone
Branch Councillor**

Candidates

CLARK, Andrew

**Country Division - Geelong North Zone
Branch Councillor (2)**

Candidates

RAMIA, George
No further nomination was accepted

**Country Division - Geelong South Zone
Branch Councillor (2)**

Candidates

BURNETT, Peter M.
TAYLOR, John

**Country Division - Goulburn Valley Zone
Branch Councillor (2)**

Candidates

No nominations were received

**Country Division - Hamilton Zone
Branch Councillor**

Candidates

LEWIS , Garry

**Country Division - Horsham Zone
Branch Councillor**

Candidates

MURRAY, Nick

**Country Division - Mornington Peninsula Zone
Branch Councillor (3)**

Candidates

HOUGHTON, Peter
STOCKS, Paul
TAYLOR, Bernie

**Country Division - Ouyen/Mildura Zone
Branch Councillor**

Candidates

No nomination was received

**Country Division - Polwarth Zone
Branch Councillor**

Candidates

No nomination was received

**Country Division - Rodney Zone
Branch Councillor**

Candidates

No nomination was received

**Country Division - Sale/Traralgon Zone
Branch Councillor (2)**

Candidates

HORAN, Fergus

RYAN , Jim

**Country Division - Seymour Zone
Branch Councillor**

Candidates

MARANTELLI, Mark

**Country Division - Wangaratta/Benalla Zone
Branch Councillor (2)**

Candidates

LADGROVE, Ian

SHARAWARA, Ray

**Country Division - Warragul Zone
Branch Councillor**

Candidates

No nomination was received

**Country Division - Warrnambool Zone
Branch Councillor**

Candidates

No nomination was received

**Country Division - Wodonga Zone
Branch Councillor**

Candidates

No nomination was received

**Country Division - Wonthaggi Zone
Branch Councillor**

Candidates

WILLIAMS, Peter

**Country Division - Woodend Zone
Branch Councillor**

Candidates

No nomination was received

**Metropolitan Division - Brunswick Zone
Branch Councillor (2)**

Candidates

NIKITAS, Con
TOMSIC, Dave

**Metropolitan Division - Carlton Zone
Branch Councillor (2)**

Candidates

BARRETT, Keith
No further nomination was accepted

**Metropolitan Division - Caulfield/Oakleigh Zone
Branch Councillor (3)**

Candidates

BURKE, Michael
CURRY, David John
NIKAKIS, Matthew

Metropolitan Division - Coburg/Preston Zone
Branch Councillor (2)

Candidates

MULQUINY, Paul
ROBERTSON, Michael

Metropolitan Division - Collingwood/Abbotsford Zone
Branch Councillor (2)

Candidates

No nominations were received

Metropolitan Division - Essendon/Flemington Zone
Branch Councillor (2)

Candidates

ROBERTSON, Mark Lane
No further nomination was accepted

Metropolitan Division - Fitzroy Zone
Branch Councillor (2)

Candidates

CHECINSKI, Rachel
No further nomination was accepted

Metropolitan Division - Footscray Zone
Branch Councillor (2)

Candidates

HUNTER, Paul
KASTORAS, Andrew

Metropolitan Division - Hawthorn/Kew Zone
Branch Councillor (2)

Candidates

BLAIR-HOLT, Ross
O'REILLY, Mark

**Metropolitan Division - Melbourne/East Melbourne Zone
Branch Councillor (2)**

Candidates

BOOTH, Jackie
ROBERTSON, Alexander

**Metropolitan Division - North Melbourne Zone
Branch Councillor (2)**

Candidates

No nominations were received

**Metropolitan Division - Northcote/Heidelberg Zone
Branch Councillor (2)**

Candidates

PAYNE , John
PAYNE, Tom

**Metropolitan Division - Port Melbourne/Albert Park Zone
Branch Councillor (2)**

Candidates

No nominations were received

**Metropolitan Division - Prahran Zone
Branch Councillor (2)**

Candidates

GARDNER, Simon
MULLINS, Matt

**Metropolitan Division - Richmond Zone
Branch Councillor (2)**

Candidates

DARCY, Matthew
PALMER, Michael

Metropolitan Division - South Eastern Suburbs Zone
Branch Councillor (2)

Candidates

NEWSHAM, Ros
No further nomination was accepted

Metropolitan Division - St Kilda/Brighton Zone
Branch Councillor (2)

Candidates

ELLIS, Mark
MATHIESON, Bruce J

Metropolitan Division - West/South Melbourne Zone
Branch Councillor (2)

Candidates

BELL, William
TRESISE, Sam

Metropolitan Division - Williamstown Zone
Branch Councillor

Candidates

NEEDHAM, Andrew

Residential Hotelkeepers' Division
Branch Councillor (6)

Candidates

VARUGHESE, George
D'CRUZ, Shaun
DAWSON, Robert
MOORE, Greg
PERRY, David
SINGTON, Ben

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

Allison Valentine

Allison Valentine, Returning Officer

22 September 2016

Australian Hotels Association E2016/133 - Stage 2 Councillors Victorian Branch

Declaration of Results for Uncontested Offices

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.

Country Division - Bellarine Zone

Branch Councillor (2)

Candidates

BENJAMIN, Sam
UPHAM, John

Country Division - Goulburn Valley Zone

Branch Councillor (2)

Candidates

ZURKAS, Nick
No further nomination was accepted

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

4 October 2016



10 October 2016

Mr Peter Burnett
President
Australian Hotels Association-Victorian Branch
Email: aha@ahavic.com.au

Dear Mr Burnett,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Fair Work Commission (the Commission) a declaration of results for stage 2 contested and uncontested offices for the election [E2016/133] for the Victorian Branch. 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

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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.

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-Victorian 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

Michael Moutevelis

Regulatory Compliance Branch

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From: Allison Valentine <Allison.Valentine@aec.gov.au>
Sent: Friday, 7 October 2016 12:07 PM
To: Paddy O'Sullivan; Orgs
Subject: MM - E2016/133 - Stage 2 - Committee of Management [SEC=UNCLASSIFIED]
Attachments: Declaration Contested & Uncontested.pdf; Declaration Covering Letter.pdf

Categories: RIA

UNCLASSIFIED

Dear parties,
Please find attached the Declaration for the above named election.

Regards,
Allison

Allison Valentine | Returning Officer
Industrial and Commercial Elections | VIC State Office
Australian Electoral Commission
T: (03) 9285 7177 | F: (03) 9285 7149



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Australian Hotels Association Stage 2 – Committee of Management

Declaration of Results for Contested and Uncontested Offices

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.

Total number of names on the roll of voters	56
Ballot papers issued	56
Replacement ballot papers issued	0
Total Ballot Papers Issued	56
Ballot papers / envelopes returned for scrutiny	56
Less ballot papers / envelopes rejected at preliminary scrutiny	0
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	56
Percentage of ballot papers returned to number issued	100%
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	0

Branch Trustee (3)

<u>Candidates</u>	Votes
CLARK, Andrew	49
MULLINS, Matt	53
PAYNE, John	45
SHARAWARA, Ray	16
Total votes	163
Formal ballot papers	56
Informal ballot papers	0

I declare Andrew Clark, Matt Mullins and John Payne elected.

Branch Executive Member (3)

<u>Candidates</u>	Votes
BURKE, Michael	43
NIKAKIS, Matthew	38
PAYNE, John	28
SHARAWARA, Ray	15
WILLIAMS, Peter	36

Total votes	160
Formal ballot papers	56
Informal ballot papers	0

I declare Michael Burke, Matthew Nikakis and Peter Williams elected.

Branch President

Candidates

BURNETT, Peter

Branch Metropolitan Vice-President

Candidates

ROBERTSON, Mark

Branch Country Vice-President

Candidates

CANNY, David John

Branch Honorary Treasurer

Candidates

STOCKS, Paul

Branch Honorary Minute Secretary

Candidates

CURRY, David John

Branch Executive Member - Residential Hotels Division (2)

Candidates

MOORE, Greg

VARUGHESE, George

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

4 October 2016



Reference: V16/417

Mr Paddy O'Sullivan
Chief Executive Officer
Australian Hotels Association
Level 1, 1 Little Collins Street
Melbourne VIC 3000

Dear Mr O'Sullivan,

**Australian Hotels Association
E2016/133 - Stage 2 - Committee of Management**

The declaration of the election for contested and uncontested offices is attached.

The election is now complete.

Yours sincerely



Allison Valentine
Returning Officer

7 October 2016

cc all candidates



DECISION

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

Australian Hotels Association (E2016/133)

MR ENRIGHT

MELBOURNE, 5 JULY 2016

Arrangement for conduct of election.

[1] On 15 June 2016 the Victorian Branch of the Australian Hotels Association lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Councillors

Metropolitan

Brunswick	(2)
Carlton	(2)
Caulfield/Oakleigh	(3)
Coburg/Preston	(2)
Collingwood/Abbotsford	(2)
Essendon/Flemington	(2)
Fitzroy	(2)
Footscray	(2)
Hawthorn/Kew	(2)
Melbourne/East Melbourne	(2)
North Melbourne	(2)
Northcote/Heidelberg	(2)
Port Melbourne/Albert Park	(2)
Prahran	(2)
Richmond	(2)
St Kilda/Brighton	(2)
South Eastern Suburbs	(2)
Williamstown	(1)
West/South Melbourne	(2)
Residential Hotelkeepers' Division	(6)

Country

Alexandra/Healesville	(1)
Ararat	(1)
Bacchus Marsh	(1)
Bairnsdale	(2)
Ballarat North	(2)
Ballarat South	(2)

Bellarine	(2)
Bendigo East	(1)
Bendigo West	(1)
Birchip/Charlton	(1)
Castlemaine/Maryborough	(1)
Geelong North	(2)
Geelong South	(2)
Goulburn Valley	(2)
Hamilton	(1)
Horsham	(1)
Mornington Peninsula	(3)
Ouyen/Mildura	(1)
Polwarth	(1)
Rodney	(1)
Sale/Traralgon	(2)
Seymour	(1)
Wangaratta/Benalla	(2)
Warragul	(1)
Warrnambool	(1)
Wodonga	(1)
Woodend	(1)
Wonthaggi	(1)

Committee of Management

President	(1)
Metropolitan Vice - President	(1)
Country Vice - President	(1)
Honorary Treasurer	(1)
Honorary Minute Secretary	(1)
Executive Member	(3)
Executive Member (Residential Hotels' Division)	(2)
Trustee	(3)

[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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From: Paddy O'Sullivan <p.osullivan@ahavic.com.au>
Sent: Wednesday, 15 June 2016 3:12 PM
To: Orgs
Subject: Request for election - AHA (Vic)
Attachments: 15062016150543-0001.pdf

Categories: RIA

Please refer attached.

It would be appreciated if you could advise me if this request meets the application guidelines.

Regards,

Paddy O'Sullivan
Deputy Chief Executive Officer
Australian Hotels Association (Vic)
Email: p.osullivan@ahavic.com.au
Tel: 03 8631 7910
Mob: 0408 220 909
Fax: 03 9654 1724

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Australian Hotels Association - Victoria

Level 1, 1 Little Collins Street
Melbourne Vic 3000

Tel: (03) 9654 7100
Fax: (03) 9654 1724

15 June 2016

The General Manager
Fair Work Australia
Level 4, 11 Exhibition Street
GPO Box 1994
Melbourne Vic 3001

Email: orgs@fwc.gov.au

Dear Sir/Madam,

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, Peter M Burnett AM, being the President of the Australian Hotels Association (Victoria), make the following statement:

I am the President of the Australian Hotels Association (Victorian Branch),

I am authorised to lodge the following prescribed information concerning forthcoming elections in the Victorian Branch of the Australian Hotels Association, and

I confirm that the following information is being lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009.

It is requested that FWC approve arrangements for the Australian Electoral Commission (AEC) to conduct elections for the name and numbers of each office or position as detailed below.

Reasons for election:

- Election for offices and positions is required as the terms of office are due to expire in the normal course of events under the rules of the organisation.

Elected by:

- The electorate for the direct voting system is the whole of the Branch.

Nominations open:

- Nominations are required to be lodged on or before 21 September 2016, pursuant to AHA (Vic) Rule 15. The date and time of the beginning and end of the period in which nominations will be called for or may be made is to be determined by the Australian Electoral Commission (The Returning Officer) with Rule 15 prescribing that nominations are to be called for on or after 7 September 2016, and
- Pursuant to Rule 15, the roll of voters is to be closed seven days before the day on which nominations open.

Offices/Positions

Zone / Division	Number of Councillors
Metropolitan:	
Brunswick	2
Carlton	2
Caulfield / Oakleigh	3
Coburg / Preston	2
Collingwood / Abbotsford	2
Essendon / Flemington	2
Fitzroy	2
Footscray	2
Hawthorn / Kew	2
Melbourne / East Melbourne	2
North Melbourne	2
Northcote / Heidelberg	2
Port Melbourne / Albert Park	2
Prahran	2
Richmond	2
St Kilda / Brighton	2
South Eastern Suburbs	2
Williamstown	1
West / South Melbourne	2
Residential (accommodation) Hotels (Residential Hotelkeepers' Division)	6

Country:

Alexandra / Healesville	1
Ararat	1
Bacchus Marsh	1

Bairnsdale	2
Ballarat North	2
Ballarat South	2
Bellarine	2
Bendigo East	1
Bendigo West	1
Birchip / Charlton	1
Castlemaine / Maryborough	1
Geelong North	2
Geelong South	2
Goulburn Valley	2
Hamilton	1
Horsham	1
Mornington Peninsula	3
Ouyen / Mildura	1
Polwarth	1
Rodney	1
Sale / Traralgon	2
Seymour	1
Wangaratta / Benalla	2
Warragul	1
Warrnambool	1
Wodonga	1
Woodend	1
Wonthaggi	1

Total Councillors **83**

Following the conduct of the process for the election of members of Council, it is requested that arrangements be made for the Australian Electoral Commission to conduct the process for the election of the Committee of Management pursuant to Rule 17 of the Rules of the Australian Hotels Association (Victorian Branch).

Offices/Positions

A	Branch President
	Metropolitan Vice President
	Country Vice President
	Honorary Treasurer
	Honorary Minute Secretary

	three Executive Members (3)
	two Executive Members who shall be elected from the Council members of the Residential Hotels (Accommodation) Division (Residential Hotels Division) (2)
A	three Trustees of the Association (3)

Reasons for election:

- Election for offices and positions listed above are required as the terms of office are due to expire in the normal course of events under the rules of the organisation.

Elected by:

- The electorate for collegiate electoral system is by and from the Branch Council (elected Councillors following the declaration of results provided by the AEC).

Nominations open:

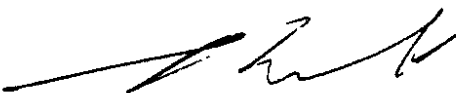
- At a date provided by the AEC.

Nominations close:

- For offices/positions to be elected by collegiate election - at the first meeting of the new Council to be held on 3 October 2016.

Please advise that this request meets your requirements and that the Australian Electoral Commission will conduct the elections as necessary. Please contact Paddy O'Sullivan, telephone 0408 220909 or 86317910 or p.osullivan@ahavic.com.au should additional information be required.

Yours sincerely,


PETER BURNETT AM

President

Australian Hotels Association (Victoria)



1 June 2016

Mr Peter Burnett
President
Australian Hotels Association-Victorian Branch
Sent email: aha@ahavic.com.au

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

Dear Mr Burnett,

Courtesy Letter - Election for offices [E2016/133]

The rules of the Australian Hotels Association-Victorian Branch indicate that an election for offices within the branch is due to commence shortly. It appears that nominations for the election open in September this year.

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') by 30 June 2016. Prescribed information must be lodged with the Fair Work Commission (the Commission) two months before nominations open for the election.

If you have a different interpretation for the commencement of the election under your rules, please let the Commission know, otherwise, 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 <https://www.fwc.gov.au/registered-organisations/overview/registered-organisations-fact-sheets>.

The prescribed information should be emailed to orgs@fwc.gov.au. 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 General Manager within the month for a later date. Such request will need to set out in detail the reason why your branch is unable to comply with the requirement. While the General Manager will consider such an application, there is no assurance that consent to a later day will be allowed.

It should be noted Section 189(2) is a civil penalty provision. Failure for an organisation to comply may result in legal proceedings being issued with the possibility of a pecuniary penalty being imposed upon an officer and/or the organisation.

The Commission intends to continue to provide reminders that an election is due as a courtesy. However failure to receive a reminder from the Commission 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.

When lodging the prescribed information, please quote [E2016/133]

Should you seek any clarification in relation to the above, please contact the Commission on orgs@fwc.gov.au.

Yours sincerely,

Sam Gallichio
Adviser
Regulatory Compliance Branch



1 June 2016

Mr Peter Burnett
President
Australian Hotels Association-Victorian Branch
Sent email: aha@ahavic.com.au

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

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Sam Gallichio
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