



21 November 2018

Mr Peter Burnett
VIC Branch President
Australian Hotels Association-Victorian Branch
p.osullivan@ahavic.com.au

Dear Mr Burnett,

cc: Australian Hotels Association – Head Office, aha@aha.org.au

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 stage 2 uncontested and contested offices for VIC Branch [E2018/103]. 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-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. 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.

Regards

Matthew Indrigo
Registered Organisations Commission

15 November 2018

Post-election Report

Australian Hotels Association

Victoria Branch

E2018/103

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Election Covered in this Report

Election Decision No.: E2018/103

Rules

Rules used for the election: [024N: Incorporates alterations of 28 February 2018 {R2017/264} (replaces 28 June 2004 version)

Rules difficult to apply/interpret: N/A

Model Rule reference (if any) N/A

Roll of Voters

Total number of voters on the Roll: 46

Number of apparent workplace addresses: 0

Number of non-current addresses: 0

Other matters pertaining to the roll of voters: N/A

Irregularities

Details of written allegations of irregularities, and action taken by AEC: None

Other irregularities identified, and action taken: None

Other Matters

None

Attachments

- 1) Declaration of Results for uncontested Offices – Victorian Branch –Stage 1
- 2) Declaration of Results for contested and uncontested Offices –Victorian Branch –Stage 2



Kylie Connor
Returning Officer

15 November 2018

Australian Hotels Association
Victoria Branch
DECLARATION OF RESULTS - E2018/103 – Stage 2
Contested and 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:

Committee of Management

Metropolitan Vice-President (1)

| | |
|--|-----------|
| Total number of persons on the roll of voters | 46 |
| Ballot Papers Issued | 46 |
| Replacement ballot papers issued | n/a |
| TOTAL BALLOT PAPERS ISSUED | 46 |
| Ballot papers/envelopes returned for scrutiny | 46 |
| Less ballot papers/envelopes rejected at preliminary scrutiny | n/a |
| Adjusting balance | n/a |
| TOTAL BALLOT PAPERS | 46 |
| Percentage of ballot papers returned to number issued | 100% |
| Ballot papers returned as unclaimed mail by closing date of ballot | n/a |

| <u>Candidates</u> | | <u>Votes</u> |
|------------------------|---------|--------------|
| BURKE | Michael | 15 |
| ROBERTSON | Mark | 31 |
| Total votes | | 46 |
| Formal ballot papers | | 46 |
| Informal ballot papers | | n/a |

I declare the following elected:

- ROBERTSON Mark

President (1)

Candidate

CANNY, David

Country Vice-President (1)

Candidate

CLARK, Andrew

Honorary Treasurer (1)

Candidate

STOCKS, Paul

Honorary Minute Secretary (1)

Candidate

CURRY, David

Executive Member (6)

Candidates

CHECINSKI, Rachel
MULLINS, Matt
NIKAKIS, Matt
O'REILLY, Mark
SHARAWARA, Ray
WILLIAMS, Peter

Executive Member (Accommodation Hotels Division) (2)

Candidates

ATHERTON, Tracy
SINGTON, Ben

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



Kylie Connor
Returning Officer
Australian Electoral Commission
15/10/2018



9 October 2018

Mr Peter Burnett
VIC Branch President
Australian Hotels Association-Victorian Branch
p.osullivan@ahavic.com.au

Dear Mr Burnett,

cc: aha@aha.org.au

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 for Victorian Branch [E2018/103]. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

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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. 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.

Regards

Christine Hibberd
Registered Organisations Commission

Australian Hotels Association
Victorian Branch
DECLARATION OF RESULTS - E2018/103
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:

Metropolitan - Brunswick

Councillors (2)

Candidate

NIKITAS, Con

Metropolitan - Carlton

Councillors (2)

Candidate

BARRETT, Keith

Metropolitan - Caulfield/Oakleigh

Councillors (3)

Candidates

NIKAKIS, Matt

BURKE, Michael

CURRY, David John

Metropolitan - Coburg/Preston

Councillors (2)

Candidates

MULQUINNY, Paul

ROBERTSON, Alexander

Metropolitan - Collingwood/Abbotsford

Councillors (2)

Candidates

No Nominations Received

Metropolitan - Essendon/Flemington

Councillors (2)

Candidate

ROBERTSON, Mark

Metropolitan - Fitzroy

Councillors (2)

Candidates

BOOTH, Jackie

CHECINSKI, Rachel

Metropolitan - Footscray

Councillors (2)

Candidates

VOLPE, Mario

HUNTER, Paul

Metropolitan - Hawthorn/Kew

Councillors (2)

Candidates

BLAIR-HOLT, Ross

O'REILLY, Mark

Metropolitan - Melbourne/East Melbourne

Councillors (2)

Candidates

ROBERTSON, Michael

LAIDLAW, Duncan

Metropolitan - North Melbourne

Councillors (2)

Candidates

No Nominations Received

Metropolitan - Northcote/Heidelberg

Councillors (2)

Candidates

PAYNE, Tom

PAYNE, John

Metropolitan - Port Melbourne/Albert Park

Councillors (2)

Candidates

No Nominations Received

Metropolitan - Prahran

Councillors (2)

Candidate

MULLINS, Matt

Metropolitan - Richmond

Councillors (2)

Candidates

No Nominations Received

Metropolitan - St Kilda/Brighton

Councillors (2)

Candidates

ELLIS, Mark

MATHIESON, Bruce J

Metropolitan - South Eastern Suburbs

Councillors (2)

Candidates

O'SULLIVAN, Kate

NEWSHAM, Ros

Metropolitan - Williamstown

Councillors (1)

Candidate

NEEDHAM, Andrew

Metropolitan - West/South Melbourne

Councillors (2)

Candidates

TRESISE, Sam

BELL, Bill

Metropolitan - Accommodation Hotel Division

Councillors (6)

Candidates

SINGTON, Ben

ATHERTON, Tracy

Country - Alexandra/Healesville

Councillors (1)

Candidates

No Nominations Received

Country - Ararat

Councillors (1)

Candidates

No Nominations Received

Country - Bacchus Marsh

Councillors (1)

Candidates

No Nominations Received

Country - Bairnsdale

Councillors (2)

Candidate

JONES, Rachel

Country - Ballarat North

Councillors (2)

Candidates

CRONIN, Dan

WILSON, Gary

Country - Ballarat South

Councillors (2)

Candidates

QUINLAN, Daniel

CANNY, David

Country - Bellarine

Councillors (2)

Candidates

UPHAM, John

TAYLOR, John

Country - Bendigo East

Councillors (1)

Candidates

No Nominations Received

Country - Bendigo West

Councillors (1)

Candidate

SHEEHAN, Patrick Francis

Country - Birchip/Charlton

Councillors (1)

Candidates

No Nominations Received

Country - Castlemaine/Maryborough

Councillors (1)

Candidates

No Nominations Received

Country - Geelong North

Councillors (2)

Candidates

No Nominations Received

Country - Geelong South

Councillors (2)

Candidates

BURNETT, Peter M

CLARK, Alan Andrew

Country - Goulburn Valley

Councillors (2)

Candidates

No Nominations Received

Country - Hamilton

Councillors (1)

Candidate

LEWIS, Garry

Country - Horsham

Councillors (1)

Candidates

No Nominations Received

Country - Mornington Peninsula

Councillors (3)

Candidates

STOCKS, Paul Christian

HOUGHTON, Peter

TAYLOR, Bernie

Country - Ouyen/Mildura

Councillors (1)

Candidates

No Nominations Received

Country - Polwarth

Councillors (1)

Candidate

BENJAMIN, Sam

Country - Rodney

Councillors (1)

Candidates

No Nominations Received

Country - Sale/Traralgon

Councillors (2)

Candidates

No Nominations Received

Country - Seymour

Councillors (1)

Candidate

MARANTELLI, Mark

Country - Wangaratta/Benalla

Councillors (2)

Candidate

SHARAWARA, Ray

Country - Warragul

Councillors (1)

Candidates

No Nominations Received

Country - Warrnambool

Councillors (1)

Candidates

No Nominations Received

Country - Wodonga

Councillors (1)

Candidates

No Nominations Received

Country - Woodend

Councillors (1)

Candidates

No Nominations Received

Country - Wonthaggi

Councillors (1)

Candidate

WILLIAMS, Peter

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



Kylie Connor
Returning Officer
Australian Electoral Commission
25/09/2018



DECISION

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

Australian Hotels Association (E2018/103)

MR ENRIGHT

MELBOURNE, 18 JUNE 2018

Arrangement for conduct of election.

[1] On 8 June 2018 the Victorian Branch of the Australian Hotels Association lodged with the Registered Organisations Commission prescribed information for an election to fill 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) |
| Accommodation Hotel 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 | (6) |
| Executive Member (Accommodation Hotels Division) | (2) |

[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

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Australian Hotels Association - Victoria

Level 1, 1 Little Collins Street
Melbourne Vic 3000

Tel: 0408 220909
p.osullivan@ahavic.com.au

8 June 2018

The Commissioner
Registered Organisations Commission
11 Exhibition Street
GPO Box 1994
Melbourne Vic 3001

Email: regorgs@roc.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.

Please note that there are no pending rule alterations that may have an effect on the conduct of this election.

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 2018, 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 2018, 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 |
| six Executive Members (6) |
| two Executive Members who shall be elected from the Council members of the Residential Hotels (Accommodation) Division (Residential Hotels Division) (2) |

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 9 October 2018.

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 May 2018

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

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

Dear Mr Burnett,

Courtesy Letter - Election for offices [E2018/103]

The rules of the Australian Hotels Association-Victorian Branch indicate that an election for offices within the branch is due to commence shortly.

- Branch Council
- Officers

It appears that nominations for the election for the above-named offices open in August this year.

Reminder: prescribed information must be lodged

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') within the month. Prescribed information must be lodged with the Registered Organisations Commission (the ROC) two months before nominations open for the election.

If you do NOT agree that an election is due

If you have a different interpretation for the commencement of the election or the offices due for election under your rules, please let the ROC know on regorgs@roc.gov.au as soon as possible.

If you agree that an election is due

If you agree that an election is due, the prescribed information must be lodged within the month. 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 <http://www.roc.gov.au/resources-and-decisions/fact-sheets-templates-and-webinars>.

The prescribed information should be emailed to regorgs@roc.gov.au. When lodging the prescribed information, please quote [E2018/103]

If you are unable to lodge the prescribed information on time

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 Commissioner within the month for a later date. Such request will need to set out in detail the reason why your organisation is unable to comply with the

requirement. While the Commissioner will consider such an application, there is no assurance that consent to a later day will be allowed.

Penalties apply

It should be noted Section 189(2) is a civil penalty provision. Failure for an organisation to lodge prescribed information at least two months before nominations open may result in legal proceedings being issued with the possibility of a pecuniary penalty being imposed upon an officer and/or the organisation.

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

Insufficient nominations

If there are insufficient nominations, or if a casual vacancy arises after the conduct of this election, then those unfilled or vacated offices must be filled in accordance the organisation's rules, and in any event in a timely manner.

Should you seek any clarification in relation to the above, please contact the ROC on regorgs@roc.gov.au.

Yours faithfully,



Sam Gallichio
Registered Organisations Commission