



AMENDING DECISION

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

Australian Hotels Association
(E2019/219)

MR STEENSON

SYDNEY, 3 FEBRUARY 2021

Arrangement for conduct of election.

[1] On 23 December 2019 the Victorian Branch (the Branch) of the Australian Hotels Association (the organisation) lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Delegates to the National Board (6)

Representatives to National Accommodation Hotels Division (2)

[2] On 20 January 2020, a decision was issued by the Delegate of the Commissioner making arrangements for the conduct of an election for the abovementioned offices by the Australian Electoral Commission (AEC), as the Delegate was satisfied that an election for these offices was required to be held under the rules of the organisation at that time and under subsection 189(3) of the Fair Work (Registered Organisations) Act 2009.

[3] At the time when the decision was issued on 20 January 2020, the rules governing the operation of the Branch and the organisation required an annual election of these offices.

[4] As a result of the suspension of the conduct of most industrial elections by the AEC due to the COVID-19 pandemic and associated restrictions, this election (along with many others) was delayed. This election (**E2019/219**) had yet to be conducted.

[5] In response to the delays in conducting industrial elections, the organisation lodged rule alterations with the Fair Work Commission (FWC) to insert Rule 44A into the organisation's rules in order to extend the term of office from one (1) year to two (2) years for particular offices. This rule alteration was certified by the FWC in R2020/171 on 24 December 2020.¹

[6] Rule 44A provides that for the offices of: delegates to National Board (Rule 11); members of the National Executive (Rule 15); and offices of the National Accommodation

¹ [2020] FWCD 5821

Hotels Division (Rule 42); where the terms of office commenced in 2019 such terms shall expire in 2021.

[7] Accordingly, this amending decision is issued to advise that, following the insertion of Rule 44A in the organisation's rules, the election arising from the decision dated 20 January 2020 in **E2019/219** is no longer required.



DELEGATE OF THE COMMISSIONER

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PR351821



DECISION

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

Australian Hotels Association
(E2019/219)

MR ENRIGHT

MELBOURNE, 20 JANUARY 2020

Arrangement for conduct of election.

[1] On 23 December 2019 the Australian Hotels Association - Victorian Branch lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Delegates to National Board	(6)
Representatives to National 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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PR351545

STATEMENT OF PRESCRIBED INFORMATION FOR ELECTIONS

**SECTION 189 FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009 AND
REGULATION 138 FAIR WORK (REGISTERED ORGANISATIONS)
REGULATIONS 2009**

I, Paddy O'Sullivan, being the Chief Executive Officer of the Victorian Branch of the Australian Hotels Association, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Victorian Branch of the Australian Hotels Association.
2. The following information is lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009*.
3. The elections that are required are set out in the table in Annexure A.
4. This statement is lodged at least two months before nominations open for the election below.



Signed _____

16/12/19
Date _____

ANNEXURE A

- Elections that are required

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
<i>Victoria</i>	<i>Delegate to National Board</i>	<i>7</i>	<i>Collegiate Electoral System</i>	<i>Scheduled</i>	<i>Members of the Branch Committee of Management, however, one of the offices is filled by the President of the Branch ex officio (see rr.11(aa)(A), 11(aa)(D) and 11(f) of the Australian Hotels Association Rules).</i>


- Important dates:

	Collegiate Electoral System
Nominations OPEN	<i>At least 14 days prior to the first day of April 2020 (r.11(e)).</i>
Nominations CLOSE	<i>1 April 2020, or such later time as allowed by the Returning Officer (r.11(f)).</i>
Roll of Voters cut-off date	<i>Seven days before the day upon which nominations for the election open (r.11(e)).</i>

STATEMENT OF PRESCRIBED INFORMATION FOR ELECTIONS
SECTION 189 FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009 AND
REGULATION 138 FAIR WORK (REGISTERED ORGANISATIONS)
REGULATIONS 2009

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ANNEXURE A

- Elections that are required

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
Victoria	Representative to National Accommodation Hotels Division	2	Direct Voting System	Scheduled	The Accommodation Division of the Victorian Branch of the Australian Hotels Association. (See rr.42 (a) – (c) of the Australian Hotels Association Rules).

- Important dates:

	Direct Voting Electoral System
Nominations OPEN	Not Specified
Nominations CLOSE	Not less than 14 days, nor more than 30 days after the last nomination form is posted (rr.42(c) and 16 (a)).
Roll of Voters cut-off date	Seven days before the day upon which nominations for the election open (r.42(c)).