

Australian Hotels Association
Part 1 - Delegate to the National Board/ Representative to
National Accommodation Hotels Division

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Fair Work (Registered Organisations) Act 2010 and the rules of the organisation.

Western Australian Branch

Delegate to the National Board (2)

Candidates

PEIRSON-JONES, Martin
STROM, David

Accommodation Hotels Division

Representative to the National Accommodation Hotels Division

Candidate

ALLEN, James

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

Simon Bulloch
Returning Officer
18 March 2010

**Australian Hotels Association
Part 2 - WA Branch Election**

DECLARATION OF RESULTS FOR UNCONTESTED AND CONTESTED OFFICES

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.

Western Australian Branch

Total number of persons on the roll of voters	0
Ballot papers issued	61
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	61
Ballot papers / envelopes returned for scrutiny	25
Less ballot papers / envelopes rejected at preliminary scrutiny	2
Adjusting Balance	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	23
Percentage of ballot papers returned to number issued	40%
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	36

President - Central Territorial Division

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
AYERS, Laurie	15	15
JOHNSTON, Gil	8	8
Exhausted Votes		0
Loss/Gain by Fraction		0
Total votes	23	23
Formal ballot papers	23	23
Informal ballot papers	0	0

I declare Laurie Ayers elected.

Ordinary Branch Committee of Management Member (6)

Candidates
BURKETT, Larry David
GOURDIS, Colin Arthur
PAREKH, Ashok
RAMAGE, Robert
RANDALL, David Neil

I declare Larry David Burkett, Colin Arthur Gourdis, Ashok Parekh, Robert Ramage and David Neil Randall elected.
No other nominations received.

President - Perth Metropolitan North Territorial Division

Candidate
REID, Sean

I declare Sean Reid elected.

President - Perth Metropolitan South Territorial Division

Candidate
STROM, David

I declare David Strom elected.

President - South West Territorial Division

Candidate

GOUGH, Robert

I declare Robert Gough elected.

President - North West Territorial Division

Candidate

PEIRSON-JONES, Martin

I declare Martin Peirson-Jones elected.

President - Coastal Territorial Division

Candidate

BEARDMAN, Brian

I declare Brian Beardman elected.

President - Accommodation Hotels Division Non-Territorial Division

Candidate

ALLEN, James

I declare James Allen elected.

Simon Bulloch
Returning Officer
Australian Electoral Commission
19 April 2010

Australian Hotels Association Part 3 - WA Branch Election

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2010/2502

Western Australian Branch

President/National Board Delegate

Candidate

RANDALL, David Neil

Senior Vice President/National Board Delegate

Candidate

PEIRSON-JONES, Martin

Vice President

Candidate

PAREKH, Ashok

Treasurer

Candidate

STROM, David

Country Representative (2)

Please note Mr Martin PEIRSON-JONES elected as Senior Vice President and Mr Ashok Parekh as Vice President therefore an election for Country Representatives was not required. See Rule 13(a)(vi).

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

Simon Bulloch
Returning Officer

2 June 2010

Post Election Report For:

Election E2010/02

Australian Hotels Association – Western Australian Branch

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 the Industrial Registrar and to the organisation or branch for which 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 (ROA) Regulations 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.

Simon Bulloch
Returning Officer
31 May 2010

Fair Work (Registered Organisations) Act 2009 – Schedule 1
POST ELECTION REPORT

ELECTION COVERED IN THIS REPORT

Election Decision No:2010/2502

RULES

Rules used for the election: Federal Rules
[024n: Incorporates alterations of
28/01/2009 (D2008/117)]
(replaces 04/09/2009 version
(R2008/342))

WA Branch Rules
[024N-WA: Incorporates
alterations of 28/9/2004][R
2004/395]

Rules difficult to
apply/interpret: None

Model Rule reference (if
any): N/A

ROLL OF VOTERS

The roll of voters was requested by the Returning Officer and prepared by the Australian Hotels Association – Western Australian Branch

IRREGULARITIES

Details of written allegations of irregularities, and action taken by AEC: NIL
Other irregularities identified, and action taken: NIL

ATTACHMENTS

The Uncontested and Contested Declarations for Parts 1, 2 and 3 are attached.

Simon Bulloch
Returning Officer
31 May 2010



DECISION

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

Australian Hotels Association-Western Australian Branch
(E2010/2502)

T. NASSIOS

MELBOURNE, 2 FEBRUARY 2010

Arrangement for conduct of election.

[1] On 19 January 2010 the Australian Hotels Association-Western Australian Branch lodged with Fair Work Australia the prescribed information in relation to an election for the following offices:

Ordinary Branch Committee Members (6)

One (1) Division President/Representative on Branch Committee for each of the following Territorial Divisions:

Perth Metropolitan North Division

Perth Metropolitan South Division

Central Division

South West Division Central Division

North West Division Central Division

Coastal Division Central Division

One (1) Division President/Representative on Branch Committee for each of the following Non-Territorial Divisions:

Accommodation Division Representative (1)

President/National Board Delegate (1)

Senior Vice-President (1)

Vice President (1)

Treasurer (1)

Country Representatives of the Executive (number to be determined in accordance with the rules)

National Board Delegates (in addition to President) (2)

National Accommodation Board Representative (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
FAIR WORK AUSTRALIA

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January 15th 2010

Deputy Industrial Registrar
Australian Industrial Relations Commission
GPO Box 1994S
MELBOURNE VIC 3001

Attention: Mr Larry Powell

Dear Mr Powell

NOTIFICATION OF ELECTIONS OF AUSTRALIAN HOTELS ASSOCIATION WA BRANCH - PURSUANT TO SECTION 189 – REGISTRATION AND ACCOUNTABILITY OF ORGANISATIONS OF THE FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009-

In accordance with the Schedule 1 of the Fair Work (Registered Organisations) Act 2009 I enclose, as Attachment 1, the prescribed information and statement of Mr Neil Randall, President of the Australian Hotels Association Western Australian Branch.

PART A

Under Section 11 (aa) C of the National Rules of the Australian Hotels Association, the Western Australian Branch is permitted three (3) representatives on the National Board. Of these three (3) members, the President shall be ex officio with the other two (2) members being elected by the Branch Committee of Management.

Therefore it is requested that the following be elected by the Branch Committee of Management:

- o 2 representatives to the Australian Hotels Association National Board

Under Section 42 (c) of the National Rules of the Australian Hotels Association, the Western Australian Branch is permitted one (1) representative on the National Accommodation Board. This representative shall be elected by members of the Western Australian Accommodation Division.

Therefore, it is requested that the following be elected by the Western Australian Accommodation Division:

- o 1 representative to the Australian Hotels Association National Accommodation Board

Rule 11 (e) requires that the Returning Officer shall call for nominations of representatives to the National Board at least 14 days prior to 1 April 2010.

PART B

The positions to be elected are summarised as follows:

- 6 ordinary members of the Branch Committee of Management for a period of two years
- One representative from each of the Territorial Divisions (6 in total)
 - Perth Metropolitan North Division
 - Perth Metropolitan South Division
 - Central Division
 - South West Division
 - North West Division
 - Coastal Division
- One representative from the Accommodation Division

PART C

Following this election the Branch Committee of Management will elect the following for a two year term the following:

- ❖ President
- ❖ Senior Vice President
- ❖ Vice President
- ❖ Treasurer
- ❖ Country Representatives (2)

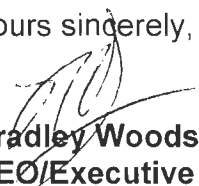
Under the Rules of the Association, clauses 16 A (a) (b) (c) and (d) allowance is made for the election to take place before the June ordinary meeting and Clause 16 H allows for the announcement of the results to take place at the June ordinary meeting.

Due to the scheduling of our annual Hospitality Expo to take place on June 1 and 2, 2010, we seek your permission to hold the June ordinary meeting on the 31st May 2010 prior to the commencement of Hospitality Expo, and for the results of the election to be announced at this meeting.

We look forward to hearing back from you on the above request.

Please do not hesitate to contact either myself or Tricia Clark if you have any queries or wish to discuss the matter further.

Yours sincerely,



Bradley Woods
CEO/Executive Director

**STATEMENT AND NOTICE OF PRESCRIBED INFORMATION UNDER
REGULATION 138**

I, Neil Randall, President of the Australian Hotels Association, Western Australian Branch state:

I am the President of the Australian Hotels Association, WA Branch.

I am authorized to lodge the following prescribed information concerning forthcoming elections in the Australian Hotels Association, WA Branch.

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

SIGNED



Neil Randall
President
Australian Hotels Association
Western Australian Branch

Dated 14th January 2010

Offices / Positions

Part A	<p>Australian Hotels Association National Board (2) and President who is an ex officio member of National Board (DVS)</p> <p>Election is required as the terms of office are due to expire in the normal course of events under the rules of the organisation.</p> <p>Elected by the Branch Committee of Management as provided for in the rules of the Australian Hotels Association [Rule 11 (aa) C].</p> <p>Nominations open at least 14 days prior to 1 April 2010</p>
	<p>Australian Hotels Association National Accommodation Board (1) (DVS)</p> <p>Election is required as the terms of office are due to expire in the normal course of events under the rules of the organisation.</p> <p>Elected by the members of the Western Australian Accommodation Division as provided for in the rules of the Australian Hotels Association [Rule 11 (e)]</p> <p>Nominations open at least 14 days prior to 1 April 2010.</p>
Part B	<p>Ordinary Branch Committee of Management Members (6) (DVS) for a period of two years.</p> <p>Election is required as the terms of office are due to expire in the course of events under the rules of the organisation.</p> <p>Elected by secret postal ballot of the whole of the financial members of the Western Australian Branch of the Australian Hotels Association.</p> <p>Nominations open when called for by the returning officer in accordance with the rules of the Association [Rule 16B (d)]</p> <p>Nominations close at a time and place or in a manner fixed by the Returning Officer and mentioned in the advertisement [Rule 16B(d)].</p> <p>0</p>
	<p>Territorial Division Representatives on Branch Committee of Management (6) (DVS) for a period of two years, one in each Territorial Division being:</p> <ul style="list-style-type: none"> ○ Perth Metropolitan North Division ○ Perth Metropolitan South Division ○ Central Division ○ South West Division ○ North West Division ○ Coastal Division <p>Election is required as the terms of office are due to expire in the course</p>

	<p>of events under the rules of the organisation.</p> <p>Elected by secret postal ballot in accordance with the rules of the Association.</p> <p>Nominations open when called for by the Returning Officer in accordance with the Rules of the Association [Rule 16B(d)].</p> <p>Nominations close at a time and place or in a manner fixed by the Returning Officer and mentioned in the advertisement [Rule 16B(d)].</p>
	<p>Accommodation Division Representative on Branch Committee of Management (1) (DVS) for a period of two years.</p> <p>Election is required as the terms of office are due to expire in the course of events under the rules of the organisation.</p> <p>Elected by secret postal ballot in accordance with the Rules of the Association.</p> <p>Nominations open when called for by the Returning Officer in accordance with the rules of the Association [Rule 16B (d)]</p> <p>Nominations close at a time and place or in a manner fixed by the Returning Officer and mentioned in the advertisement [Rule 16B(d)].</p>
Part C	<p>President (1) (CVS)</p> <p>Election is required as the terms of office are due to expire in the course of events under the rules of the organisation.</p> <p>Elected by and from the Branch Committee of Management of Western Australian Branch of the Australian Hotels Association.</p> <p>Nominations open and close at the commencement of the June meeting of the Branch Committee of Management Rule 13 (b)</p>
	<p>Senior Vice-President (1) (CVS)</p> <p>Election is required as the terms of office are due to expire in the course of events under the rules of the organisation.</p> <p>Elected by and from the Branch Committee of Management of Western Australian Branch of the Australian Hotels Association.</p> <p>Nominations open and close at the commencement of the June meeting of the Branch Committee of Management Rule 13 (b)</p>
	<p>Vice President (1) (CVS)</p> <p>Election is required as the terms of office are due to expire in the course</p>

	<p>of events under the rules of the organisation.</p> <p>Elected by and from the Branch Committee of Management of Western Australian Branch of the Australian Hotels Association.</p> <p>Nominations open and close at the commencement of the June meeting of the Branch Committee of Management Rule 13 (b)</p>
	<p>Treasurer (1) (CVS)</p> <p>Election is required as the terms of office are due to expire in the course of events under the rules of the organisation.</p> <p>Elected by and from the Branch Committee of Management of Western Australian Branch of the Australian Hotels Association.</p> <p>Nominations open and close at the commencement of the June meeting of the Branch Committee of Management Rule 13 (b).</p>
	<p>Country Representatives (2) (CVS)</p> <p>Election is required as the terms of office are due to expire in the course of events under the rules of the organisation.</p> <p>Elected by and from the Branch Committee of Management of Western Australian Branch of the Australian Hotels Association.</p> <p>Nominations open and close at the commencement of the June meeting of the Branch Committee of Management Rule 13 (b).</p>

ANDERSON, Eve

From: Patricia Clark [exec@ahawa.asn.au]
Sent: Wednesday, 27 January 2010 7:39 PM
To: ANDERSON, Eve
Subject: RE: AHA WA branch: 2010 election (E2010/2502)
Attachments: image001.png

Dear Eve

Further to our conversation, I advise that the Association is not seeking, and has not for a number of years now, elections for the Licensed Restaurant Divisions as this membership grouping is currently serviced as general members.

No decision has been made at this time to formally seek to remove the option for a Licensed Restaurant Division from the Rules.

I await your email.

Regards,

Patricia Clark
Executive Assistant



T: (08) 9321 7701 **E:** exec@ahawa.asn.au
F: (08) 9321 7730 **W:** www.ahawa.asn.au



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From: ANDERSON, Eve [mailto:Eve.Anderson@fwa.gov.au]
Sent: Wednesday, 27 January 2010 3:19 PM
To: Patricia Clark
Subject: AHA WA branch: 2010 election (E2010/2502)

Attn: Tricia Clark

Dear Tricia

Re 2010 election for the AHA WA Branch (E2010/2502)

Further to our conversation this morning I write to confirm my request for information regarding the current status of the Licensed Restaurant Division of the branch.

I also advised that I would email some comments regarding the prescribed information for future elections. Unfortunately, I have not been able to attend to drafting that information just yet, but I will send the comments in due course (apologies).

Regards

EVE ANDERSON

Tribunal Services and Organisations

Fair Work Australia

Tel: (03) 8661 7929

Fax: (03) 9655 0410

eve.anderson@fwa.gov.au

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FAIR WORK
AUSTRALIA

3 February 2010

Tricia Clark
Executive Assistant
Australian Hotels Association
Western Australian Branch
By Email: exec@ahawa.asn.au

Re: Prescribed Information regarding the scheduled elections for the Australian Hotels Association, Western Australian Branch (E2010/2502)

Dear Ms Clark

I acknowledge receipt of correspondence and the prescribed information regarding the 2010 scheduled elections for the Western Australian Branch of the Australian Hotels Association. The documents were lodged with Fair Work Australia on 19 January 2010 and a decision issued and forwarded to the AEC on 2 February 2010.

As discussed, I write to provide comments regarding the lodgement of prescribed information for future years.

1. Number of Country Division Representatives to be elected to Branch Executive

The 2010 prescribed information states that two Country Division Representatives are to be elected. However sub-rules 13(a) and (c) suggest that the number of representatives to be elected will not be known until after the composition of the rest of the Branch Executive has been finalised. If this understanding is correct, Part C of the prescribed information needs to be amended to read "Country Representatives (number to be determined in accordance with rules)".

2. Voting system for National Board delegate

The prescribed information states that voting system for the delegates to National Board is by direct voting system. However sub-rules 11(f) and (g) of the federal rules provide that these delegates are elected by and from the Branch Committee, and therefore the voting system is a collegiate system.

3. Date that nominations open for NAHD representative

The prescribed information states that nominations for the representative on National Accommodation Board open at least 14 days prior to 1 April 2010. However I cannot locate a national or a WA branch rule which specifies the date for opening the nominations for this representative. National rule 11(e) specifies that the nominations for delegates to National Board open at least 12 days prior to 1 April, but I cannot locate anything in the rules that extends this provision to representatives to the National Accommodation Hotel Division. If you agree that the rules do not specify a date for the opening of nominations, then that should be stated in the prescribed information.

4. Titles of offices

The reference to 'Australian Hotels Association National Board (2)' should be to 'Branch Delegate to Australian Hotels Association National Board (2)' (see rule 11 of the national rules).

The reference to 'Australian Hotels Association National Accommodation Board' should be to 'Branch Representative to Australian Hotels Association National Accommodation Division' (see rule 42(c) of the national rules).

The reference to 'Territorial Division Representatives on Branch Committee of Management' should be to 'Territorial Division President/Representative on Branch Committee of Management' (see rule 11(b) of the WA Branch rules).

The reference to 'Accommodation Division Representative of Branch Committee of Management' should be to 'Accommodation Division President/Representative of Branch Committee of Management' (see rule 11(iii) of the WA Branch rules).

The reference to 'Country Representatives' should be to 'Country Representatives on Branch Executive' (see rule 13(a) of the WA Branch rules).

5. Omissions from the prescribed information

Regulation 138(d) requires the prescribed information to specify the name of the branch, section or division if the electorate comprises only members of a branch, section or division. Part B of the prescribed information has omitted to state the electorate for the President/Representative on Branch Committee of Management for each of the Divisions (Territorial and Non-Territorial).

Regulation 138(f) requires the prescribed information to specify the day provided for in the rules on which the roll of voters closes. The prescribed information has omitted to specify the date the roll of voters closes for the election of the Representative to the National Accommodation Hotels Division, the Ordinary Members of the Branch Committee of Management and for the Division Presidents/Representatives on Branch Committee of Management (both Territorial and Non-Territorial).

If your views differ to any of those set out above please advise accordingly. Otherwise please ensure that the prescribed information is amended in future years to address these points. If you have any queries I can be contacted on 03 86617929 or via email on eve.anderson@fwa.gov.au

Yours sincerely



Eve Anderson
Tribunal Services and Organisations
Fair Work Australia
Tel: 03 86617929

Email: eve.anderson@fwa.gov.au