

MOUVEVELIS, Michael

From: Simon Bulloch [Simon.Bulloch@aec.gov.au]
Sent: Monday, 7 April 2014 1:19 PM
To: 'Bradley Woods'; Orgs
Cc: Industrial Elections
Subject: Australian Hotels Association WA Branch National Board Delegates and National Accommodation Board Representative E2013/313 [SEC=UNCLASSIFIED]
Attachments: E2013-313 Declaration of Results for Uncontested Offices.pdf, E2013-313 Post Election Report.pdf

UNCLASSIFIED

Bradley

I refer to the above election for your organisation.

Section 197(1) of the *Fair Work (Registered Organisations) Act 2009* ("the Act") requires the AEC to provide a written report on the conduct of the election to the Fair Work Commission 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 the Act 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) Regulations 2009* requires an organisation or branch to publish a notice on its website 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 | Manager
Election Services | WA State Office
Australian Electoral Commission
T: (08) 6363 8011 | M: 0413 006 210 | F: (08) 6363 8052



Make sure you're **enrolled to vote.**
Visit www.aec.gov.au

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Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Client: Australian Hotels Association, Western Australian Branch
Contact details: Bradley Wood
Email: ceo@ahawa.asn.au
Tel: (08) 9321 7701

FWA contact officer: Michael Moutevelis
Email: michael.moutevelis@fwc.gov.au
Tel: (02) 8374 6614

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2013/313

RULES

Rules used for the election: 024N-WA: Incorporates alterations of 1/11/2013 in R2013/424 and 024n: Incorporates alterations of 20 December 2011 (R2011/241) (*replaces* 20 December 2010 *version* (R2010/136))

Rules difficult to apply/interpret: Nil

Model Rule reference (if any): N/A

ROLL OF VOTERS

The roll of voters was provided the AHA WA Branch. The roll was used to post out the election notice and nomination forms to eligible voters. As there was no contest the roll was not further utilised.

IRREGULARITIES

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

Other irregularities identified, and action taken: Nil

ATTACHMENTS

Declaration of Results for Uncontested Offices

Simon Bulloch
Returning Officer
7 April 2014

**Australian Hotels Association
WA Branch National Board Delegates and National
Accommodation Board Representative**

Declaration of Results for Uncontested Offices

E2013/313

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.

National Accommodation Hotels Division

National Board Delegates (2)

Candidates

PEIRSON- JONES, Martin
REID, Sean

Accommodation Hotels Division

National Accommodation Board Representative

Candidates

HILL, Andrew

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
7 April 2014



DECISION

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

Australian Hotels Association
(E2013/313)

MR ENRIGHT

MELBOURNE, 23 DECEMBER 2013

Arrangement for conduct of election.

[1] On 16 December 2013 the Western Australian Branch of the Australian Hotels Association lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

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

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<Price code A, PR545919>

MOUVEVELIS, Michael

From: Orgs
Sent: Monday, 16 December 2013 3:47 PM
To: 'industrial.elections@aec.gov.au'
Subject: E2013/313
Attachments: Notification of Elections of AHA WA Branch; AHA WA 024N_R2013_424_01112013.doc

Dear AEC

Please find the prescribed information and a copy of the current rulebook for an upcoming election of the Australian Hotels Association, Western Australian Branch (E2013/313).

Regards

MICHAEL MOUVEVELIS
Assistant Adviser
Regulatory Compliance Branch

Fair Work Commission

Tel: (02) 8374 6614
Fax: (02) 9380 6990
Email: michael.mouvevelis@fwc.gov.au

Level 8, Terrace Tower, 80 William Street, East Sydney NSW 2011

www.fwc.gov.au

Please be aware that my email address has changed to michael.mouvevelis@fwc.gov.au, effective 1 January 2013. Please update your records accordingly.

MOUTEVELIS, Michael

From: Patricia Clark [exec@ahawa.asn.au]
Sent: Monday, 16 December 2013 2:07 PM
To: Orgs
Subject: Notification of Elections of AHA WA Branch

Please find attached application to hold elections for AHA (WA).

If you have any queries, please do not hesitate to contact me.

Kind regards,

Patricia Clark
Executive Assistant

-----Original Message-----

From: Toshiba Scanner [mailto:scanner@ahawa.asn.au]
Sent: Monday, 16 December 2013 11:03 AM
To: Patricia Clark
Subject: Send data from MFP-06922221 16/12/2013 11:02

Scanned from MFP-06922221.
Date: 16/12/2013 11:02
Pages: 4
Resolution: 200x200 DPI

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<http://www.mailguard.com.au>



DOC161213-16122
013110244.pdf



Australian Hotels Association
WESTERN AUSTRALIA

38 Parliament Place West Perth WA 6005
PO Box 660 West Perth Western Australia 6872
T 08 9321 7701 F 08 9321 7730 W www.ahwa.com.au

11th December 2013

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

Dear Sir

**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 am writing to request that elections be conducted in accordance with the Prescribed Information for Elections S 189 (1) (Attachment 1).

The prescribed information and statement of Mr Neil Randall, President of the Australian Hotels Association Western Australian Branch is also attached for your information (Attachment 2).

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.

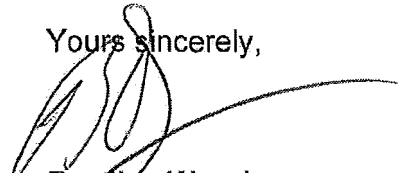
Therefore, it is requested that the following be elected by the Western Australian Accommodation Division:

- 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 2014.

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

Prescribed Information in accordance with Section 189 (1)

Positions	Branch delegates to Australian Hotels Association National Board (2) (CVS)
Reason	Election is required as the terms of office are due to expire in the normal course of events under the rules of the organisation.
Term	One year term
Number of Positions:	Two
Name of Branch	Australian Hotels Association (WA)
Voting System	Collegiate election by and from the Branch Committee of Management as provided for in the rules of the Australian Hotels Association [National Rules 11 (f) and (g)].
Nomination Period	Nominations open at least 14 days prior to 1 April 2010 (National Rule 11 (e))

Positions	Branch Representative to the Australian Hotels Association National Accommodation Board (1) (DVS)
Reason	Election is required as the terms of office are due to expire in the normal course of events under the rules of the organisation.
Term	One year term
Number of Positions	One
Name of Branch	Australian Hotels Association (WA)
Voting System	Direct Voting election by the members of the Western Australian Accommodation Division as provided for in the rules of the Australian Hotels Association [National Rule 42(c)]
Nomination Period	Rules do not specify a date for opening of nominations. The Roll of voters shall close no later than seven days before the day on which nominations for the election open. [National Rule 42 (c)]

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

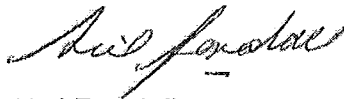
I, Neil Randall, President of the Australian Hotels Association, Western Australian Branch state:

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

I am authorised 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 11/12/13



4 December 2013

Mr Bradley Woods
Executive Director
Australian Hotels Association
Western Australian Branch
Sent by email: exec@ahawa.asn.au

Dear Mr Woods,

Courtesy Letter - Election for offices [E2013/313]

A perusal of the rules of the Western Australian Branch of the abovenamed organisation discloses that an election for offices within the branch is due to commence shortly, where nominations for the election appear to open in the month of March next year.

This letter is sent to you as a courtesy reminder of your branch's obligation to lodge information about the election (known as the 'prescribed information') pursuant to s.189(1) of the *Fair Work (Registered Organisations) Act 2009* (the 'Act') for the conduct of such election. If you have a different interpretation of the month and year for the commencement of the election under your rules please let me 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 should include all subsequent elections such as an election for offices under the collegiate electoral system, if that is relevant. A sample of the prescribed information can be found on our website at www.fwc.gov.au/sample_documents.

Section 189(2) of the Act and regulation 138(3) of the Regulations require the prescribed information to be lodged with the Fair Work Commission **two (2) months** before nominations open for the election. The prescribed information can be emailed to orgs@fwc.gov.au. Should your branch believe 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 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 to comply may result in legal proceedings being issued with the possibility of a pecuniary penalty being imposed upon an officer and/or your branch.

Should you seek any clarification in relation to the above, please contact me on (03) 8661 7936 or via email at robert.pfeiffer@fwc.gov.au.

Yours sincerely,

Robert Pfeiffer
Senior Adviser
Regulatory Compliance Branch