

21/06/2018

Post-election Report

**Australian Hotels Association Western Australian Branch
Scheduled Election E2017/252**

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Election(s) Covered in this Report

Election Decision No/s: E2017/252

Rules

Rules used for the election: 024n: Incorporates alterations certified on 20/04/2017 in matters D2016/56 & R2016/145 and 024N-WA: Incorporates alterations of 01/11/2013 in R2013/424]

Rules difficult to apply/interpret: Nil

Model Rule reference (if any) N/A

Roll of Voters

The Roll of voters was provided by the Association and was used in part 2 to obtain the addresses of eligible members for posting out the election notice.

Irregularities

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

Other irregularities identified, and action taken: Nil

Other Matters

1. WA Association Rule 16 D (d) states - The ballot paper shall be returned in the declaration envelope provided which must be in an envelope addressed to a post office box rented in the name of the Association and the key of such box shall, before ballot papers are sent out, be placed in the hands of the returning officer.

It is recommended the WA Branch consider amending the rule to:

The ballot paper shall be returned in the declaration envelope provided which must be in an envelope addressed to a post office box rented by the Australian Electoral Commission.

2. WA Association Rule 16 D (b) allows for candidates to submit a brief personal/professional profile and brief position statement for distribution with the ballot material. The Association's rules are silent regarding date of lodgement, the number of words or if a photograph is permitted.

It is recommended the WA Branch consider amending the rule to clarify:

- the number of words permitted in the statement.
- the date the statement is to be lodged by. This should be no later than 7 days after the close of nominations.

3. The Association's rules are silent regarding the withdrawal of nominations.

It is recommended the WA Branch consider amending the rules to provide clarity around the withdrawal of nominations.

Attachments

- 1) Declaration of results for Uncontested Offices – WA Branch Part 1
- 2) Declaration of results for Uncontested Offices – WA Branch Part 2



Simon Bulloch
Returning Officer

21/06/2018

Australian Hotels Association
Western Australian Branch
DECLARATION OF RESULTS - E2017/252 – Part 2
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:

Branch Executive

President (1)

Candidates

RANDALL, Neil

Senior Vice President (1)

Candidates

PEIRSON-JONES, Martin

Vice President (1)

Candidates

REID, Sean Kenneth Oliver

Treasurer (1)

Candidates

PAREKH, Ashok

President Accommodation Hotels (1)

Candidates

No Nominations Received

Country Representative (number to be determined in accordance with the rules) (1)

Candidates

RAMAGE, Robert

(PAREKH, Ashok is also a country representative. Therefore the number of country representatives is reduced to 1 in accordance with Western Australian Branch Rule 13 (a) (vi))

President, Licensed Restaurant Division (1)

Candidates

No Nominations Received

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
Australian Electoral Commission
21/06/2018





9 April 2018

Executive Director
Australian Hotels Association-Western Australian Branch
exec@ahawa.asn.au

Dear Executive Director,

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 stage 1 uncontested offices for Western Australian Branch [E2017/252]. 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 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-Western Australian 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
Western Australian Branch
DECLARATION OF RESULTS – E2017/252 – Part 1
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:

Branch Committee of Management

Ordinary Member (6)

Candidates

PAREKH Ashok

BORNMANN David

RAMAGE Robert

OSBORNE Tim

RANDALL Neil

PATCHING Grady

Non – Territorial Division

Restaurant Division

President (1)

Candidate

WAPLES Lyndon

Small Bar Division

President (1)

Candidate

BOND Nicholas

Tourism Division

President (1)

Candidate

SCOTT Michael

Accommodation Division

President (1)

Candidate

No nomination received

Territorial Division

Central Division - WA

Candidate

AYERS Laurie

Coastal Division - WA

President (1)

Candidate

KING Brian

North West Division - WA

President (1)

Candidate

PEIRSON-JONES Martin

Perth Central Division

President (1)

Candidate

RASHEED Ben

Perth Metropolitan North Division

President (1)

Candidate

REID Sean

Perth Metropolitan South Division

President (1)

Candidate

BROWN Craig

South West Division - WA

President (1)

Candidate

GOUGH Robert

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
Australian Electoral Commission
6 March 2018



DECISION

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

Australian Hotels Association (E2017/252)

MR ENRIGHT

MELBOURNE, 20 DECEMBER 2017

Arrangement for conduct of election.

[1] On 1 December 2017 the Western Australian Branch of the Australian Hotels Association lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Branch Committee of Management

Ordinary Member (6)

The President of each Territorial Division of the Branch:

Perth Metropolitan North Division (1)

Perth Metropolitan South Division (1)

Perth Central Division (1)

Central Division - WA (1)

South West Division - WA (1)

North West Division - WA (1)

Coastal Division - WA (1)

The President of each Non-Territorial Division of the Branch:

Accommodation Division (1)

Small Bar Division (1)

Tourism Division (1)

Restaurant Division (1)

Branch Executive

President (1)

Senior Vice President (1)

Vice President (1)

Treasurer (1)

President, Accommodation Hotels (1)

Country Representative (number to be determined in accordance with the rules) (2)

President, Licensed Restaurant Division (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 COMMISSIONER

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From: Marina Maidment <exec@ahawa.asn.au>
Sent: Friday, 1 December 2017 1:44 PM
To: ROC - Registered Org Commission
Subject: E2017/252 AHA WA General Election
Attachments: DOC011217-01122017103150.pdf

Please find attached letter requesting elections be conducted on behalf of the AHA (WA)

Could you please acknowledge safe receipt.

Marina Maidment
Executive Manager to the CEO

Australian Hotels Association
Western Australia
38 Parliament Place
West Perth WA 6005

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

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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.ahawa.asn.au

November 30th 2017

General Manager
Fair Work 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) as set out in (Attachment 1) and statement of Mr Neil Randall, President of the Australian Hotels Association Western Australian Branch (Attachment 2).

The positions to be elected are summarised as follows:

PART A

Elected by secret postal ballot from the whole of the financial members of the Western Australian Branch of the Australian Hotels Association [Branch Rules 11(b) and 16 (A)(a)].

- 6 ordinary members of the Branch Committee of Management for a period of two years

PART B

The Territorial and Non Territorial Divisions are established in accordance with Branch Rules 11(b) and 16 (A)(a). Election is for the position of President for a 2 year term of the territorial (7) and Non Territorial Divisions (4)

Territorial Divisions

- Perth Metropolitan North Division
- Perth Metropolitan South Division
- Perth Central Division
- Central Division - WA
- South West Division - WA

- North West Division - WA
- Coastal Division – WA

Non Territorial Divisions

- Accommodation Division
- Small Bar Division
- Tourism Division
- Restaurant Division

PART C

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

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

We look forward to hearing back from you with confirmation of the proposed elections. 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)

Part A

Positions	Ordinary Branch Committee of Management Members (6) (DVS) for a period of two years.
Reason	Election is required as the terms of office are due to expire in the course of events under the rules of the organisation.
Term	Two year term
Number of Positions	Six
Name of Branch	Australian Hotels Association (WA)
Voting System	Elected by secret postal ballot of the whole of the financial members of the Western Australian Branch of the Australian Hotels Association [Branch Rules 11(b) and 16 (A)(a)].
Nomination Period	<p>Nominations open when called for by the returning officer in accordance with the rules of the Association [Branch 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 [Branch Rule 16B(d)].</p> <p>The Roll of voters shall close no later than seven days before the day on which nominations for the election open [Branch Rule 16B (c)].</p>

PART B

Positions	<p>Territorial Division President/Representatives on Branch Committee of Management (7) (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 ○ Perth Central Division ○ Central Division ○ South West Division ○ North West Division ○ Coastal Division
Reason	Election is required as the terms of office are due to expire in the course of events under the rules of the organisation.
Term	Two year term
Number of Positions	Seven
Name of	Australian Hotels Association (WA)

Branch	
Voting System	<p>Each representative is elected by and from financial members of the Division [Branch Rules 10A(c), 10C(a) and 16A(c)].</p> <p>Elected by secret postal ballot in accordance with the rules of the Association. [Branch Rule 11 (b)]</p>
Nomination Period	<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>Nominations open when called for by the Returning Officer in accordance with the Rules of the Association [Branch 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 [Branch Rule 16B(d)].</p> <p>The Roll of voters shall close no later than seven days before the day on which nominations for the election open. [Branch Rule 16B (c)]</p>

Positions	<p>Non Territorial Division President/Representatives on Branch Committee of Management (4) (DVS) for a period of two years,</p> <ul style="list-style-type: none"> ○ Accommodation Division ○ Small Bar Division ○ Tourism Division ○ Restaurant Division
Reason	Election is required as the terms of office are due to expire in the course of events under the rules of the organisation.
Term	Two Years
Number of Positions	Four
Name of Branch	Australian Hotels Association (WA)
Voting System	<p>Elected by financial members of the Division [Branch Rules 10C(a) and 16A(c)].</p> <p>Elected by secret postal ballot in accordance with the Rules of the Association [Branch Rule 11 (b)].</p>
Nomination Period	<p>Nominations open when called for by the Returning Officer in accordance with the rules of the Association [Branch 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 [Branch Rule 16B(d)].</p>

	The Roll of voters shall close no later than seven days before the day on which nominations for the election open [Branch Rule 16B (c)].
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PART C

Positions	<p>Rule 13 (a) the Branch Committee of specifies an Executive of the Branch of the follows:</p> <ul style="list-style-type: none"> (i) President (ii) Senior Vice-President (iii) Vice President (iv) Treasurer (v) The President, Accommodation Hotels elected in accordance with Rule 10 (b) and 13 (a)(v) (vi) Country Representatives elected in accordance with Rule13 (a)(vi) and 13 (c) (vii) The President, Licensed Restaurant Division elected in accordance with Rule 10 (b) <p>Ballot</p> <p>Rule 13 (b) requires that there shall be a ballot of the BCOM, conducted in accordance with the provisions of the Constitution for an election of four individuals, referred to as the “office bearers”.</p> <ul style="list-style-type: none"> (i) President (1) (CVS) (ii) Senior Vice-President (1) (CVS) (iii) Vice President (1) (CVS) (iv) Treasurer (1) (CVS) <p>Rule 13 (c) specifies the election of Country Representatives with the number to be elected in accordance with Rule 13 (a)(vi)</p> <ul style="list-style-type: none"> (vi) Country Representatives (2) <p>Automatic Appointment</p> <p>Rule 13 (a) prescribes the following :</p> <ul style="list-style-type: none"> (v) The President, Accommodation Hotels, (ex officio) and (vii) The President, Licensed Restaurant Division <p>become members of the Executive of te Branch</p>
Reason	Election is required as the terms of office are due to expire in the course of events under the rules of the organisation.
Term	Two Years

Number of Positions	Eight
Name of Branch	Australian Hotels Association (WA)
Voting System	Collegiate election by and from the Branch Committee of Management of Western Australian Branch of the Australian Hotels Association. [Branch Rule 16A(b)]
Nomination Period	Nominations open and close at the commencement of the June meeting of the Branch Committee of Management [Branch Rule 13 (b)]

ATTACHMENT 1

**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 30-11-17