



FAIR WORK
AUSTRALIA

DECISION

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

The Restaurant and Catering Association of Victoria
(E2011/2502)

TIM LEE

MELBOURNE, 10 JANUARY 2011

Arrangement for conduct of election.

[1] On 5 January 2011 The Restaurant and Catering Association of Victoria lodged with Fair Work Australia the prescribed information in relation to an election for the following office:

Director

[2] I am satisfied that an election for the abovenamed office 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.



GENERAL MANAGER
FAIR WORK AUSTRALIA

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<Price code A, PR505744 >

ELLIOTT, Mark

From: ELLIOTT, Mark
Sent: Monday, 10 January 2011 5:04 PM
To: 'industrial.elections@aec.gov.au'
Subject: E2011/2502 - RCAV
Attachments: 20110110_164907.pdf

Good afternoon,

The General Manager of Fair Work Australia today issued a decision in the abovementioned matter.

A copy of the decision is attached.

Kind regards,

MARK ELLIOTT

Tribunal Services and Organisations

Fair Work Australia

Tel: 03 8661 7811

Fax: 03 9655 0410

mark.elliott@fwa.gov.au

11 Exhibition Street, Melbourne Victoria 3000

GPO Box 1994, Melbourne Victoria 3001

www.fwa.gov.au

ELLIOTT, Mark

From: ELLIOTT, Mark
Sent: Monday, 10 January 2011 5:01 PM
To: 'justinp@restaurantcater.asn.au'
Subject: E2011/2502 - election of Director
Attachments: 20110110_164907.pdf

Good afternoon Justin,

Today the General Manager made arrangements for the conduct of the election of your association's Director. A copy of the decision is attached.

Any enquiries in relation to the conduct of the election should be directed to the Australian Electoral Commission who may be telephoned on 03 9285 7142.

Kind regards,

MARK ELLIOTT
Tribunal Services and Organisations

Fair Work Australia
Tel: 03 8661 7811
Fax: 03 9655 0410
mark.elliott@fwa.gov.au

11 Exhibition Street, Melbourne Victoria 3000
GPO Box 1994, Melbourne Victoria 3001

www.fwa.gov.au

ELLIOTT, Mark

From: ELLIOTT, Mark
Sent: Thursday, 6 January 2011 4:52 PM
To: 'industrial.elections@aec.gov.au'
Subject: E2011/2502 - RCAV
Attachments: PRESCRIBED INFORMATION IN RESPECT OF ELECTION.docx; FWA Letter.docx

Please find attached prescribed information in the abovementioned matter.

Please note that a Delegate of Fair Work Australia recently made arrangements for the conduct of another election in this organisation. E2010/2706 refers.

Kind regards,

MARK ELLIOTT

Tribunal Services and Organisations

Fair Work Australia

Tel: 03 8661 7811

Fax: 03 9655 0410

mark.elliott@fwa.gov.au

11 Exhibition Street, Melbourne Victoria 3000

GPO Box 1994, Melbourne Victoria 3001

PRESCRIBED INFORMATION IN RESPECT OF ELECTION
SECTION 189
Fair Work (Registered Organisations) Act 2009

I, Matteo Pignatelli, President of the Restaurant and Catering Association of Victoria, am authorized to sign this statement which is lodged in accordance with section 189 of the Fair Work (Registered Organisations) Act 2009.

1. The offices in respect of which the elections are required are:

President
Vice President (2)
Treasurer
Executive Councillor (16)

Director

2. The reason for which the elections are required are:

Under the rules of the Restaurant and Catering Association of Victoria the offices are required to retire annually.

3. The electorate for the elections is:

By the financial members of the Restaurant and Catering Association of Victoria


4. The dates and times that nominations open and close are:

Elections must be completed on or before the Annual General Meeting of the Association which must be held within three months from the end of the Financial Year 31 December 2010. The date of the Annual General Meeting has been set at 23 March 2011.
For Councillors and Director – Nominations must open not less than sixty days prior to the Annual General Meeting and close not less than 21 days later – rule 14A(b)
The date on which the roll of voters for the ballot to be closed is seven days before the day on which nominations open – rule 14A(b)

For the Offices of President, Vice Presidents (2) and Treasurer – within 7 days of the declared results of the Council elections and close not less than 14 days later – rule 14B (b)

5. The voting system to be used in the conduct of the elections is:

A direct voting system for the 16 Executive Councillors and a collegiate election for the offices of President, Vice Presidents (2) and Treasurer



Matteo Pignatelli
President
05 January 2011



Restaurant
& Catering



10 January 2011

Attention General Manager

Dear Registrar

Please find enclosed Prescribed Information in Respect of Election – Section 189 of Schedule 1 of the *Workplace Relations Act 1996* in relation to The Restaurant and Catering Association of Victoria.

Your assistance in progressing this matter is appreciated and I look forward to hearing of advice from the Australian Electoral Commission for the conduct of the elections.

Please do not hesitate to contact Justin Pleass, (02) 9966 0055 or at justinp@restaurantcater.asmn.au should you require any additional information or clarification at this stage.

Yours sincerely

A handwritten signature in black ink, appearing to be 'MP'.

Matteo Pignatelli

President

ELLIOTT, Mark

From: ANDERSON, Eve
Sent: Wednesday, 5 January 2011 4:17 PM
To: ELLIOTT, Mark
Subject: FW: registered rules of the RCAV
Attachments: PRESCRIBED INFORMATION IN RESPECT OF ELECTION.docx; FWA Letter.docx

From: Justin Pleass [<mailto:justinp@restaurantcater.asn.au>]
Sent: Wednesday, 5 January 2011 4:14 PM
To: ANDERSON, Eve
Subject: RE: registered rules of the RCAV

Hi Eve

I have read through the rules and can see that there needs to be a nomination for role of Director and then election of a Director. After reading the role of the Director at rule 13(c), I see what there role entitles them to do.

I have attached a new Prescribed Information and letter.

I will contact the Electoral Commission and notify them to continue the process of the election and wait for the decision in writing.

Thank you for your assistance it is much appreciated.

Regards

Justin Pleass | Legal / Policy Officer
Restaurant & Catering

t 1300 722 878 | f 1300 722 396
Level 1, 401 Pacific Highway, Artarmon NSW 2064

www.restaurantcater.asn.au (Trade/Members) | www.savouraustralia.com.au (Consumer)
Restaurant & Catering is the peak national organisation representing the interests of restaurateurs and caterers. The Association exists to lead the restaurant and catering industry.

From: ANDERSON, Eve [<mailto:Eve.Anderson@fwa.gov.au>]
Sent: Wednesday, 5 January 2011 3:57 PM
To: Justin Pleass
Subject: registered rules of the RCAV

Dear Justin

Thank-you for your call. Please find attached a copy of the registered rules of the RCAV.

Please confirm receipt

Please call if you any further queries

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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