

The Restaurant and Catering Association of Victoria Stage 2 - Office Bearers

Declaration of Results for Uncontested Offices

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.

Executive Council

President

Candidates

PIGNATELLI, Matteo

Vice-President (2)

Candidates

No nominations were received

Treasurer

Candidates

No nomination was received

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

Laura Leavy
Returning Officer
7 March 2014

The Restaurant and Catering Association of Victoria Stage 1 - Executive Councillors and Director

Declaration of Results for Uncontested Offices

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.

Victoria

Executive Councillor (16)

Candidates

PIGNATELLI, Matteo
SINGH ANAND, Jai Devinder

No further nominations were accepted

Director

Candidates

No nomination was received

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

Laura Leavy
Returning Officer
19 February 2014

Mr Greg Parkes
The Restaurant and Catering Association of Victoria
Suite 17, Level 1
401 Pacific Highway
ARTARMON NSW 2064

**Post Election Report For: The Restaurant and Catering Association of Victoria
Election E2013/327**

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 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 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 (Registered Organisations) Act 2009 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.

Laura Leavy
Returning Officer
12 March 2014

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

The Restaurant and Catering Association of Victoria

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2013/327

RULES

Rules used for the election: [269VFED: Incorporates alterations of 27/4/2004]

Rules difficult to apply/interpret: 14.A(b) Not less than sixty days prior to the Annual General Meeting the Returning Officer shall forward by post to each member of the Association a notice calling for nominations for Councillors and Director with a notification therewith of the closing date of nominations which shall be not less than 21 days from the issue of such notice. Nominations shall close at 12 noon on the day of closing of nominations.

Model Rule reference (if any): To make the process faster and more cost effective it is recommended that this rule is altered to enable advertising on the RCAV website, in a publication of the organisation or via email.

4.1.1(a) & (b)

The returning officer shall cause an election notice to be published:

a) on the [name of organisation] website;
and

b) in a journal or bulletin or newsletter published by the organisation and circulated to all members eligible to participate in the election, either directly to the member's known postal address or via circulation to all workplaces at which members are employed;

ROLL OF VOTERS

Total number of voters on the Roll: Ballot not required

Number of apparent workplace addresses: Nil

Number of non-current addresses: Nil

Other matters pertaining to the roll of voters: The roll provided did not include full addresses for a number of restaurants.

IRREGULARITIES

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

Other irregularities identified, and action taken: Nil

ATTACHMENTS

1. Declaration - Stage 1
2. Declaration - Stage 2

Laura Leavy
Returning Officer
12 March 2014



DECISION

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

The Restaurant and Catering Association of Victoria (E2013/327)

MR ENRIGHT

MELBOURNE, 24 DECEMBER 2013

Arrangement for conduct of election.

[1] On 17 and 20 December 2013 The Restaurant and Catering Association of Victoria lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Executive Councillor (16)

President

Vice President (2)

Treasurer

[2] On 17 and 20 December 2013 the organisation lodged with the Fair Work Commission prescribed information under subsection 187(3) of the *Fair Work (Registered Organisations) Act 2009* (the Act) in relation to an election for the following position:

Director

[3] The prescribed information was not lodged before the day prescribed by Regulation 138(3) of the *Fair Work (Registered Organisations) Regulations 2009*. That day is the day occurring 2 months before the first day when a person may, under the rules of the organisation or branch, become a candidate in the election. On 17 December 2013 the organisation requested an extension of time to allow a later day for lodgement of the prescribed information under subsection 189(2) of the Act. Having considered the reason for late lodgement, I allow lodgement on 17 December 2013 in this instance.

[4] I am satisfied that an election for the abovenamed offices and position 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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Restaurant
& Catering



20 December 2013

General Manager
Ms Bernadette O'Neill
Fair Work Commission
11 Exhibition Street
Melbourne VIC 3000

Dear Ms O'Neill

Please find enclosed amended Prescribed Information in Respect of Election – Section 189 of Schedule 1 of the *Fair Work (Registered Organisations) Act 2009* in relation to The Restaurant and Catering Association of Victoria.

In accordance with the legislation it would be appreciated if you could make the necessary arrangements for the conduct of the election by the Australian Electoral Commission.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Hart', with a long horizontal flourish extending to the right.

John Hart
Chief Executive Officer

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 (the Act).

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

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

Director (s.187 of the Act)

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 for the Councillors and a collegiate for the offices of President, Vice Presidents (2) and Treasurer.

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 2013. The date of the Annual General Meeting has been set at 18 March 2014.

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 Director offices and a collegiate election for the offices of President, Vice Presidents (2) and Treasurer.



Matteo Pignatelli
President
20 December 2013



Restaurant
& Catering



20 December 2013

Australian Electoral
Commission
GPO Box 4382
Melbourne VIC 3001

Dear Sir Madam

In accordance with the *Fair Work (Registered Organisations) Act 2009* and the Rules of the Restaurant and Catering Association of Victoria we seek an election for the position of Director to be conducted by the Australian Electoral Commission and attach a copy of the Prescribed Information sent to the Fair Work Commission.

Should you require any further information please contact the Workplace Relations Director, Mr Greg Parkes on the contact number listed below.

Yours faithfully

A handwritten signature in black ink, appearing to be 'MP' with a long horizontal stroke extending to the right.

Matteo Pignatelli
President

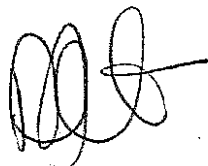
CC: Ms O'Neill General Manager, Fair Work Commission.

**PRESCRIBED INFORMATION IN RESPECT OF EXTENSION OF TIME
SECTION 189(2)
Fair Work (Registered Organisations) Act 2009**

I, Matteo Pignatelli being the President of the Restaurant and Catering Industry Association of Victoria certify:

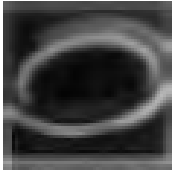
- I declare that I am applying for an Extension of Time for Arrangements for the conduct of an Election to be held on 18 March 2014
- I was unable to sign the Prescribed Information for Election until the 16 December 2013 due to pressing business commitments.

Signature

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Matteo Pignatelli
President

Date: 16 December 2013



Restaurant
& Catering

SAVOUR
AUSTRALIA

16 December 2013

General Manager
Ms Bernadette O'Neill
Fair Work Commission
11 Exhibition Street
Melbourne VIC 3000

Attention Ms. Melissa Garcia

Dear Ms O'Neill

Please find enclosed Prescribed Information in Respect of Election – Section 189 of Schedule 1 of the *Fair Work (Registered Organisations) Act 2009* in relation to The Restaurant and Catering Association of Victoria.

In accordance with the legislation it would be appreciated if you could make the necessary arrangements for the conduct of the election by the Australian Electoral Commission.

Yours sincerely

John Hart
Chief Executive Officer

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 (the Act).

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

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Vice President (2)
Treasurer
Executive Councillor (16)

Director (s.187 of the Act)

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 2013. The date of the Annual General Meeting has been set at 18 March 2014.

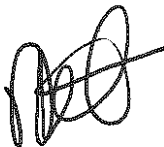
For Councillors and Director – Nominations must open not less than sixty days prior to the Annual General Meeting and close not less than 21 days later – rule 14A(b)

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 Director offices and a collegiate election for the offices of President, Vice Presidents (2) and Treasurer.



Matteo Pignatelli
President
16 December 2013