

The Motor Inn, Motel and Accommodation Association Election of National Council and Executive Director

Declaration of Results for Uncontested Offices

E2014/83

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.

The Motor Inn, Motel and Accommodation Association

Executive Director

Candidates

No nomination was received

Representative to National Council - Australian Capital Territory (2)

Candidates

No nominations were received

Representative to National Council - New South Wales (2)

Candidates

No nominations were accepted

Representative to National Council - Northern Territory (2)

Candidates

No nominations were received

Representative to National Council - Queensland (3)

Candidates

No nominations were received

Representative to National Council - South Australia (2)

Candidates

No nominations were received

Representative to National Council - Tasmania (2)

Candidates

No nominations were received

Representative to National Council - Victoria (2)

Candidates

No nominations were received

Representative to National Council - Western Australia (2)

Candidates

No nominations were received

As the number of nominations accepted did not exceed the number of positions to be filled, I declare no candidates elected.

Officers

President

Vice-President

Treasurer

As per rule 49(1) of the Organisation's rules, I am unable to proceed with Stage 2 of this election for election of officers as no nominations were received in the first Stage of this election and no one was elected.



Noopur Madan
Returning Officer

30 May 2014



DECISION

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

The Motor Inn, Motel and Accommodation Association (E2014/83)

MR ENRIGHT

MELBOURNE, 4 APRIL 2014

Arrangement for conduct of election.

[1] On 7 March 2014 The Motor Inn, Motel and Accommodation Association (MIMAA) lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

President	(1)
Vice-President	(1)
Treasurer	(1)
Executive Director	(1)
Representative to National Council – Australian Capital Territory	(2)
Representative to National Council – New South Wales	(2)
Representative to National Council – Northern Territory	(2)
Representative to National Council – Queensland	(3)
Representative to National Council – South Australia	(2)
Representative to National Council – Tasmania	(2)
Representative to National Council – Victoria	(2)
Representative to National Council – Western Australia	(2)

[2] The prescribed information was lodged in accordance with the directions given by Deputy President Lawrence on 17 December 2013 in relation to the matter of D2013/107 being an application on the Fair Work Commission's own motion under s.30(1)(c) of the *Fair Work (Registered Organisations) Act 2009* to cancel the registration of an organisation.

[3] Subsection 182(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires the Australian Electoral Commission to conduct an election for each office in an organisation or branch of an organisation unless an exemption from this requirement has been granted under subsection 182(2). MIMAA holds such an exemption. Despite holding this exemption, MIMAA has requested that the Australian Electoral Commission conduct the election for the offices listed above.

[4] It is apparent that the elections for the above offices are well overdue. The last confirmed election conducted by MIMAA was in 2007. Rules 22(b) and 25(a) of the rules of

the organisation provide that the terms of offices are three years. No elections were conducted by MIMAA in 2010 or any subsequent year.

[5] I have determined that it is not inappropriate to arrange for the conduct of an election by the Australian Electoral Commission in the present circumstances.

[6] 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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Fair Work (Registered Organisations) Regulation 138

Prescribed Information for election by The Motor Inn, Motel and Accommodation Association (MIMAA)

Further to the prescribed information provided in relation for elections by MIMAA, MIMAA hereby lodges supplementary information.

With consideration to the number of Representatives to the Council of MIMAA whereby the number of representatives is to be calculated by reference to MIMAA rule 22(a)(ii) as highlighted below -

“(ii) Each Branch and each State and/or Territory, in which a Branch is not established and in which the Association has members, shall have two (2) elected representatives to the Council. In addition to that, where such a Branch, State or Territory has more than two hundred and fifty (250) members, then it shall be entitled to have one additional elected representative to the Council for each additional two hundred and fifty (250) members in excess of the initial two hundred and fifty (250) members and for the balance of members left after that calculation.”

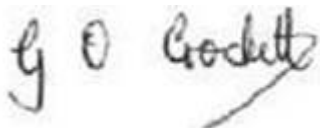
Based on the numbers of members of MIMAA as at 1 January 2014 and as determined by the state representation within the membership levels as advised by supplementary declaration of 07 March 2014 Representatives of Council to be elected are:

ACT – 2
NSW – 2
NT – 2
Qld -3
SA – 2
Tas – 2
Vic – 2
WA - 2

That is 17 Representatives in total.

The above information is lodged under Regulation 138 of the Act.

Signed:

A handwritten signature in black ink that reads "Garry Crockett". The signature is written in a cursive style with a large 'G' and 'C'.

Garry Crockett
President

Date: 01 April 2014

Prescribed Information for election by The Motor Inn, Motel and Accommodation Association (MIMAA)

MIMAA hereby lodges prescribed information in respect of elections to be conducted by the Australian Electoral Commission.

Name of office for which election is required

1 - Representatives to National Council (for a 3 year term of office) - 2 representatives per State/Territory in which the MIMAA has members (r. 22(a)(ii)), and where a State/Territory has more than 250 members it shall be entitled to an additional representative for each additional 250 members, and another representative for the balance beyond 500 members.
Note: There are no Branches of MIMAA.

The voting system for the election of above offices is a direct voting system by the whole of the financial membership of the respective State/Territory.

The respective membership of the States and Territories is to be determined in accordance with the rules.

2 - Executive Director (for a 3 year term of office)

The voting system for the election of above offices is a direct voting system of the whole of the financial membership of the organisation.

In respect of the **Representatives to National Council** and the **Executive Director**

- The opening of nominations is sought to be on or around 26 March 2014.
- The closing of nominations is shall not be less than 14 days nor more than 30 days after nominations open (per rule 48(b)(i).
- The roll of voters for any ballot is to be closed on the seventh day before the day on which nominations for the election open

3 – President, Vice-President, Treasurer

The voting system for the election of above offices is a collegiate electoral system by and from the newly elected Representatives to National Council.

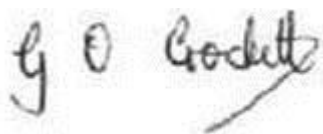
Under rule 49, nominations are invited by the Returning Officer from the Council Representatives in advance of the first meeting of the newly elected Council.

For any contested position, a secret ballot for such position is conducted at that **first Council meeting**.

The reason for the election of the each of the abovementioned offices is that the terms of office have expired and as such are due to be elected under the rules of the organisation.

The above information is lodged under subsection 189(1) of the Act.

Signed:

A handwritten signature in black ink that reads "G O Crockett". The signature is written in a cursive style with a large 'G' and 'O' followed by the name 'Crockett'.

Garry Crockett
President

Date: 05 March 2014

General Manager
Fair Work Australia
11 Exhibition Street
Melbourne Vic 3000

Attn: Mr O Richter (by email to olaf.richter@fwc.gov.au)

Prescribed Information for election by The Motor Inn, Motel and Accommodation Association (MIMAA)

Enclosed is the prescribed information for elections to be conducted for office holders of MIMAA.

Should you have any questions in relation to these returns, please contact me on 02 8666 9015 or by email at michael.georgeson@aaoa.com.au



Michael Georgeson
General Manager Operations,
Accommodation Association of Australia
On behalf of
MIMAA