

26 November 2021

Post-election report

Australian Hotels Association
Scheduled election
E2021/138

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Election(s) Covered in this Report

Organisation: Australian Hotels Association

Election: Scheduled

Election Decision No/s: E2021/138

Rules

Rules used for the election: 024N: Incorporates alterations of 12 February 2021 [R2020/170]

(replaces rulebook dated 24 December 2020 [R2020/171])

Rules difficult to apply/interpret: No

Model Rule reference (if any): N/A

Other Matters

Returning Officer actions required (Section 193): Yes

Details: The matters in which I have exercised the authority given to me by s.193 of the Act are:

- As there is no rule pertaining to the withdrawal of Nomination, the Returning Officer will apply subparagraph 193(1) (b)(ii) of the Fair Work (Registered Organisation) Act 2009 to fix a closing time for the withdrawal of nomination and the withdrawal period will be aligned with the nomination closing date.
- Rule of the Organisation states that ballot to open within 14 days of the close of the nomination. The Returning Officer deems that this time frame is not sufficient. The Returning Officer will apply subparagraph 193(1) (b)(ii) of the Fair Work (Registered Organisation) Act 2009 to extend the period considering eligibility check and defect period and will open the ballot within 21 days of the close of the nomination instead of 14 days.
- In spite of the rules of the organisation, nominations are to be lodged via email/ AEC portal to ensure that no irregularities occur as a result of the restrictions imposed by the Coronavirus pandemic and current Australia Post delivery times.
- Due to Covid -19 issue the ballot cannot be conducted by attendance. To address the issue, the Returning Officer will apply subparagraph 193(1) (b)(ii) of the Fair Work (Registered Organisation) Act 2009 and the ballot will be conducted by post.
- Rules regarding the timetable of the election were set aside as the AEC held concerns that the coronavirus pandemic may impact on the ability for stakeholders to fully participate in the election. A timetable for the conduct of the ballot which varied from the rules was set when

the AEC was satisfied that stakeholders would be able to fully participate.

Signed



Ishtiaq Ahmed
Returning Officer
Australian Electoral Commission
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26 November 2021

Attachments

A. Declaration of results for Uncontested Offices – National

Australian Hotels Association
DECLARATION OF RESULTS - E2021/138
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:

President (1)

Candidates

DABNER John

Vice President (1)

Candidates

BULLOCK Andrew

Secretary (1)

Candidates

JERVIS Craig

Representatives to the AHA National Board (6)

Candidates

BULLOCK Andrew

JERVIS Craig

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



Ishtiaq Ahmed
Returning Officer
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04/11/2021



DECISION

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

Australian Hotels Association
(E2021/138)

MR STEENSON

SYDNEY, 27 AUGUST 2021

Arrangement for conduct of election.

[1] On 11 August 2021 the Australian Hotels Association (AHA) lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Accommodation Hotels Division

President	(1)
Vice President	(1)
Secretary	(1)
Representatives to the AHA National Board	(6)

[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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PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 Fair Work (Registered Organisations) Act 2009 and Regulation 138 Fair Work (Registered Organisations) Regulations 2009

I, David Basheer, being the Treasurer of the Australian Hotels Association (AHA) declare that:

1. I am authorised to sign this statement containing prescribed information for the AHA.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required relate to the AHA National Accommodation Division and are set out in the table in Annexure A.
4. There are no rules alterations pending that will impact the election.
5. This statement is lodged at least 2 months before nominations open for the election below

Signed:



Dated:

9/8/21

Annexure A

- Elections that are required

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
<i>National Accommodation Hotels Division</i>	President	1	Collegiate electoral system	Scheduled	National Accommodation Hotels Division (Rule 42 (c) and (d))
<i>National Accommodation Hotels Division</i>	Vice President	1	Collegiate electoral system	Scheduled	National Accommodation Hotels Division (Rule 42 (c) and (d))
<i>National Accommodation Hotels Division</i>	Secretary	1	Collegiate electoral system	Scheduled	National Accommodation Hotels Division (Rule 42 (c) and (d))
<i>National Accommodation Hotels Division</i>	Representatives to the National Board (in addition to President who is an ex-officio a member of the National Board	6	Collegiate electoral system	Scheduled	National Accommodation Hotels Division (Rule 42 (c) and (d))

- Important dates:

	Collegiate Electoral System
Nominations OPEN	To be determined by the Returning Officer
Nominations CLOSE	To be determined by the Returning Officer
Roll of Voters cut off date	To be determined by the Returning Officer