

24 June 2022

Post-election report

Australian Hotels Association

AHA - Australian Capital Territory

Branch

Scheduled election

E2021/216

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Election(s) Covered in this Report

Organisation: AHA - Australian Capital Territory Branch

Election: Scheduled

Election Decision No/s: E2021/216

Rules

Rules used for the election: 024N-ACT: Incorporates alterations of 5 February 2018 [R2017/239]
Replaces rulebook dated 13 June 2014 [R2014/150]

Rules difficult to apply/interpret: N/A

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website: www.aec.gov.au/ieb/

Other Matters

Returning Officer actions required (Section 193):

Details:

- Rules regarding the timetable of the election for the opening date for Nominations were set aside as the coronavirus pandemic has impacted 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.
- The rules of the Organisation are silent in relation to withdrawal of nominations. As such I have exercised my powers of delegation under section 193 of the Act to have withdrawal period of nomination to end at the same date and time as the closing of nominations in line with our policy and procedures.

Signed

Kathleen Cassar
Returning Officer
Australian Electoral Commission
E: IEEvents@aec.gov.au
P: 0413 271 716
24 June 2022

Attachments

A. Declaration of results for Uncontested Offices – ACT

Australian Hotels Association
AHA - Australian Capital Territory Branch
DECLARATION OF RESULTS - E2021/216
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:

Accommodation Hotels Division of the Australian Capital Territory Branch

Representative to the National Accommodation Hotels Division (1)

Candidates

BASWAL Dave

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

Kathleen Cassar
Returning Officer
Telephone: 0413 271 716
Email: IEBevents@aec.gov.au
27/05/2022





DECISION

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

Australian Hotels Association
(E2021/216)

MR STEENSON

SYDNEY, 9 MARCH 2022

Arrangement for conduct of election.

[1] On 24 February 2022 the Australian Capital Territory Branch (**the Branch**) of the Australian Hotels Association lodged with the Registered Organisations Commission prescribed information for an election to fill the following office:

Representative to the National Accommodation Hotels Division (1)

[2] I note that in the previous scheduled election for this office (**E2020/221**) no nominations were received, and the Branch has confirmed that this office has remained unfilled for the current one-year term of office. While the Branch is ultimately in the hands of its members deciding whether or not they nominate for a particular office, the result of no nominations being received and the Branch then not making a further attempt to fill the role by election appears to have left the Branch without representation on the National Accommodation Hotels Division for an entire term of office.

[3] If insufficient nominations are received in the election that this current decision arranges (**E2021/216**), the Commission expects the Branch to promptly lodge prescribed information in order for a further attempt to be made to fill it. While the *Fair Work (Registered Organisations) Act 2009* allows for an organisation to have rules to appoint persons to casual vacancies in some circumstances, it does not enable appointment to vacancies caused by insufficient nominations.

[4] 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 RO Act, 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, Michael Capezio, being the President of the Australian Hotels Association (ACT Branch) make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Australian Hotels Association (ACT Branch).
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 are set out in the table in Annexure A.
4. No rule alterations are pending that will impact the election.
5. This statement **IS** lodged at least 2 months before nominations open for the election(s) in Annexure A.

Signed:



Dated: 24 February 2022

NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@roc.gov.au.

Annexure A

- Elections that are required [insert as many pages as 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
Australian Hotels Association (ACT Branch)	Representative to the National Accommodation Hotels Division	1	Direct Voting System	Scheduled	<i>Accommodation Division; ACT Rule 26 (1), National Rule 42 (c)</i>

- Important dates:

	Direct Voting System	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. The Branch's preference is around 11 May 2022 (being one year since the Close of Roll for the corresponding election in 2021).	

NOTES: For insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as 'To be determined by the returning officer'. This also applies where rules are silent as to the nominated dates.

If the nomination dates are 'To be Determined by the Returning Officer', but your organisation has a *preference*, please state 'To be Determined by Returning Officer' and clearly indicate that your nominated date is a preference.

If the P.I. includes a position that is not an office, please refer to our template [Prescribed information for the election of officer and non-officer positions](#).