

Australian Hotels Association
New South Wales Branch
DECLARATION OF RESULTS - E2020/220
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:

Delegates to the National Board (7)

(The rules provide that, in addition to these, the Branch President is, ex officio, a Delegate to the National Board)

Candidates

BLAIR Joanne
HARRIS Peter
HUMPHREYS Lyn
KENNEDY Des
LEES Robert
MALONEY Kim
WEBSTER Phillip

Representatives to the National Accommodation Hotels Division (2)

Candidates

ARUNDEL Norman
HUNT Sean

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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19/05/2022



DECISION

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

Australian Hotels Association
(E2020/220)

MR STEENSON

SYDNEY, 5 FEBRUARY 2021

Arrangement for conduct of election.

[1] On 14 January 2021 the New South Wales Branch (the Branch) of the Australian Hotels Association (the organisation) lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Representatives to the National Accommodation Hotels Division (2)

Delegates to the National Board (7)
(The rules provide that, in addition to these, the Branch President is, ex officio, a Delegate to the National Board)

[2] I note that the Branch previously lodged prescribed information, on 14 November 2019, seeking an election (**E2019/208**) which was intended to fill the same abovenamed offices. On 18 December 2019, a decision ([2019] ROCD 208) was issued arranging for an election for those offices in **E2019/208**.

[3] As a result of the suspension of most industrial elections by the Australian Electoral Commission (AEC) due to the COVID-19 pandemic and associated restrictions, the election **E2019/208** (along with a number of other industrial elections) was, in part, delayed. The election to fill the offices for Representatives to the National Accommodation Hotels Division was conducted and declared by the AEC on 14 February 2020, but the subsequent collegiate election to fill the offices for Delegates to the National Board did not proceed due to the restrictions and suspension of elections arising from the pandemic.

[4] In response to the delays in conducting industrial elections, the organisation lodged rule alterations with the Fair Work Commission (FWC) to insert Rule 44A into the organisation's rules in order to extend the term of office from one (1) year to two (2) years for particular offices. This rule alteration was certified by the FWC in R2020/171 on 24 December 2020.¹

[5] Rule 44A provides that for the offices of: delegates to National Board (Rule 11); members of the National Executive (Rule 15); and offices of the National Accommodation

¹ [2020] FWCD 5821

Hotels Division (Rule 42); where the terms of office commenced in 2019 such terms shall expire in 2021.

[6] While rule 44A extends, to two years, the terms of officers elected in 2019, and therefore can affect elections due in 2020, it does not similarly apply to the elections due in 2021. Rule 44A(2) provides that the terms of the affected offices revert to one year terms with effect from the term starting in 2021.

[7] 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 AEC.

[8] I have also today issued an amendment to the earlier, 18 December 2019, decision of the Delegate of the Commissioner in **E2019/208**. The amending decision indicates that the election of Delegates to the National Board arising from decision **E2019/208** is no longer required by operation of Rule 44A of the organisation's rules. The election for the term commencing in 2021 is dealt with in this decision (**E2020/220**).



DELEGATE OF THE COMMISSIONER

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STATEMENT OF PRESCRIBED INFORMATION FOR ELECTIONS

SECTION 189 FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009 AND REGULATION 138 FAIR WORK (REGISTERED ORGANISATIONS) REGULATIONS 2009

I, Joanne Blair, being the Secretary/Treasurer of the NSW Branch of the Australian Hotels Association NSW, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the New South Wales Branch of the Australian Hotels Association.
2. The following information is lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009*.
3. The elections that are required are set out in the table in Annexure A.
4. No rules alterations are pending that will impact the election.
5. This statement is lodged at least two months before nominations open for the election below.



Signed

14-01-2021
Date


ANNEXURE A

- Elections that are required

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
NSW	Representative to National Accommodation Hotels Division	2	Direct Voting System	Scheduled	The Accommodation Division of the New South Wales Branch of the Australian Hotels Association. (See rr.42 (a) – (c) of the Australian Hotels Association Rules).

- Important dates:

	Direct Voting Electoral System
Nominations OPEN	Not Specified
Nominations CLOSE	Not less than 14 days, nor more than 30 days after the last nomination form is posted (rr.42(c) and 16 (a)).
Roll of Voters cut-off date	Seven days before the day upon which nominations for the election open (r.42(c)).




STATEMENT OF PRESCRIBED INFORMATION FOR ELECTIONS

SECTION 189 FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009 AND REGULATION 138 FAIR WORK (REGISTERED ORGANISATIONS) REGULATIONS 2009

I, Joanne Blair, being the Secretary/Treasurer of the NSW Branch of the Australian Hotels Association NSW, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the New South Wales Branch of the Australian Hotels Association.
2. The following information is lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009*.
3. The elections that are required are set out in the table in Annexure A.
4. No rules alterations are pending that will impact the election.
5. This statement is lodged at least two months before nominations open for the election below.



Signed

14-01-2021
Date

ANNEXURE A

- Elections that are required

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
NSW	Delegate to National Board	8	Collegiate Electoral System	Scheduled	Members of the Branch Committee of Management, however, one of the offices is filled by the President of the Branch ex officio (see rr.11(aa)(A)(8), 11(aa)(D) and 11(f) of the Australian Hotels Association Rules).

- Important dates:

	Collegiate Electoral System
Nominations OPEN	At least 14 days prior to the first day of April 2021 (r.11(e)).
Nominations CLOSE	1 April 2021, or such later time as allowed by the Returning Officer (r.11(f)).
Roll of Voters cut-off date	Seven days before the day upon which nominations for the election open (r.11(e)).

