



16 June 2023

Christian Payne
President
Real Estate Employers' Federation
Sent via email: admin@reef.org.au

cc:

Dear Christian Payne



IMMEDIATE ACTION REQUIRED:

You must take steps after your recent election E2022/235

An election has recently been completed by the Australian Electoral Commission (AEC) for the Real Estate Employers' Federation.

This letter explains the next steps you must take and what information you need to lodge with the Fair Work Commission (the Commission).

What you must do right now

- Let your members know about the election report issued by the AEC
- Arrange financial training for officers newly elected to an office with financial management duties. (This includes all members of the committee of management).
- Complete the notification of change and email it to regorgs@fwc.gov.au

This letter explains these steps and the tools available to help you.

STEP 1: Notify members

You must put a notice on your website once you receive your post-election report. It must tell your members they can request a copy of the post-election report from you or the AEC (regulation 141). The notice must be on your website for at least three months.



Can I put more information on our website?

Yes! Being transparent is part of good governance. You can publish the whole report or the declaration of results, as well as your notice and leave them up longer than three months. You can always do more than the regulatory minimum.

The Commission will also publish your declaration of results on our [website](#).

STEP 2: Financial training

You may have to arrange financial training for people elected to new roles.

All officers with financial management duties must complete financial training (section 293K). For information on when officers must redo training and hints on when to book training for officers taking up multiple offices [please see our fact sheet](#).

There are face to face and online [financial training packages on the Commission website](#).

You must act on this now, as affected officers **MUST** complete approved financial training OR been granted an [exemption by the Commission within six months](#) of beginning to hold office.



Good governance tip:

Organisations should instruct officer holders about their other obligations. This is especially important for committee of management members.

Our podcast covers the [benefits of officer induction](#). Officers have responsibilities under the rules, the RO Act, and disclosure requirements around conflicts of interest, remuneration and material personal interests. Officers will benefit from our [officer induction kit](#) and our [podcast, such as episode 17 - conflicts of interest](#).

STEP 3: Notifications of change



A notification of change must be lodged with the Commission within **35 days** of the change occurring.

We have a [template](#) to help you with this, which you can send to regorgs@fwc.gov.au. An officer must sign the completed notification template.

You must lodge a notification of change if:

- any of your officers have not been re-elected;
- officers have changed offices; or
- you have new officers.

Only notify us of changes that have **already occurred**. If people take up office in the future, you must wait until the change happens before lodging the notification within 35 days of the change.

Note: One election may result in many notifications of change.



Penalties apply

Failing to lodge your notifications of change on time can expose your organisation and its officers to significant penalties.

ROC v CEPU

The organisation failed to make a series of notifications of change on time.

The Full Court said ‘The record-keeping obligations imposed under the Registered Organisations Act are treated by the legislature as important and serious, and contravention of those obligations are correspondingly serious.’

The organisation was ordered to pay a penalty. More information is available in our [case summary](#).



Why do I need to tell you the results of the election when you’ve already received them?

The RO Act requires that **you** tell us this information about your officers – it is a legal obligation. The notification of change also contains information that is not in the declaration of results.

What if the officer has already done training?

Check out our [fact sheet](#) for when officers need to redo training, when they can get an exemption and when further training isn’t required.

If you have any queries we can be contacted on 1300 341 665 or by email at regorgs@fwc.gov.au.

Yours sincerely

Fair Work Commission



The Commission has a [Compliance Policy](#) which explains how we respond to issues of non-compliance. The policy is available on our website if you would like further information on the steps the compliance team may take in response to non-lodgement of a financial report.

9 June 2023

Post-election report

Real Estate Employers' Federation
Scheduled election
E2022/235

Contents

Election(s) Covered in this Report	3
Rules.....	3
Other Matters	3
Signed	3
Attachments	4
A. Declaration of Results for Uncontested Offices – Stage 1	4
B. Declaration of Results for Uncontested Offices – Stage 2	4

Election(s) Covered in this Report

Organisation: Real Estate Employers' Federation
Election: Scheduled
Election Decision No/s: E2022/235

Rules

Rules used for the election: [152N: Incorporates alterations of 20 December 2022] [R2022/106]
(Replaces 8 September 2020 [D2020/11] version)

Rules difficult to apply/interpret: No

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): Yes

Details:

Rules requiring an in-person ballot were set aside as the AEC held concerns that the coronavirus pandemic would impact on the ability for all stakeholders to attend. Instead the ballot was conducted via post.

Signed

Ben Murray
Returning Officer
Australian Electoral Commission
E: IEEvents@aec.gov.au
P: 03 9285 7111
9 June 2023

Attachments

- A. Declaration of Results for Uncontested Offices – Stage 1
- B. Declaration of Results for Uncontested Offices – Stage 2

Real Estate Employers' Federation
DECLARATION OF RESULTS - E2022/235 - Stage 1
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:

Real Estate Employers' Federation

Committee of Management Member (8)

Candidates

ABBOUD Tony

BAKER Linda Jane

CAMERON Michael

KHO Yee Ching (Patricia)

LESLIGHT Milton William

MARTIN Steve

PAYNE Christian Sidney

SLAPE Emma

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

Ben Murray
Returning Officer
Telephone: 03 9285 7111
Email: IEEvents@aec.gov.au
18/04/2023



Real Estate Employers' Federation
DECLARATION OF RESULTS - E2022/235 - Stage 2
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:

Committee of Management

President (1)

Candidates

PAYNE Christian

Vice President (1)

Candidates

No Nominations Accepted

Treasurer (1)

Candidates

ABBOUD Tony

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

Ben Murray
Returning Officer
Telephone: 03 9285 7111
Email: IEBevents@aec.gov.au
08/06/2023





DECISION

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

Real Estate Employers' Federation (E2022/235)

MR STEENSON

SYDNEY, 30 JANUARY 2023

Arrangement for conduct of election.

[1] On 23 December 2022, the Real Estate Employers' Federation lodged prescribed information, and on 23 January 2023 lodged further prescribed information, with the Registered Organisations Commission for an election to fill the following offices for a new term of office:

Committee of Management Member	(8)
President	(1)
Vice President	(1)
Treasurer	(1)

[2] It is noted that on 20 December 2022, the Fair Work Commission (**FWC**) certified rule alterations lodged by the organisation (R2022/106), including altering rule 32 to extend the term of all offices from 2 years to 3 years. In paragraph 21 of the FWC decision, it is noted that there are no transitional provisions regarding the extension, and that consequently the new three-year terms will only apply in connection with prospective terms of office, i.e. the first three-year term will be the one that commences when this requested election is declared.

[3] 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

Printed by authority of the Commonwealth Government Printer

PR352401

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, **Linda Baker**, being the **Vice-President** of the **Real Estate Employers' Federation** make the following statement:

1. I am authorised to sign this statement containing prescribed information for the **Real Estate Employers' Federation**.
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 tables in Annexure A and Annexure B.
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 elections in Annexure A and Annexure B.

Linda Baker

Signed: **Linda Baker – Vice-President**

Dated: 23 January 2023

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

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
National	Committee of Management Member	8	Direct Voting System	Scheduled	All financial members – as per Rule 33(9)

Important dates:

	Direct Voting System – 8 x Committee of Management positions	Collegiate Electoral System
Nominations OPEN	To be determined by the returning officer – Rule 33(2)	N/a
Nominations CLOSE	To be determined by the returning officer – Rule 33(2)	N/a
Roll of Voters cut off date	14 days prior to the opening date for nominations – Rule 33(1)	N/a

Annexure B

- Elections that are required

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
National	President	1	Collegiate electoral system	Scheduled	Committee Members – as per Rule 34
National	Vice President	1	Collegiate electoral system	Scheduled	Committee Members – as per Rule 34
National	Treasurer	1	Collegiate electoral system	Scheduled	Committee Members – as per Rule 34

Important dates:

	Direct Voting System	Collegiate Electoral System – 1 x President, 1 x Vice-President & 1 x Treasurer
Nominations OPEN	N/a	No later than 14 days following the declaration of the election of the Committee – as per Rule 34(4)
Nominations CLOSE	N/a	To be determined by the returning officer – as per Rule 34(5)
Election held	N/a	Where the number of candidates exceeds the number of vacancies to be filled, an election will be held by ordinary secret ballot at the next meeting of the Committee. Such meeting shall be held no later than 2 months following the declaration of the election of the Committee – as per Rule 34(7)