



8 September 2023

Christian Payne  
President  
Real Estate Employers' Federation  
Sent via email: [admin@reef.org.au](mailto:admin@reef.org.au)

Dear Christian Payne



**IMMEDIATE ACTION REQUIRED:**

**You must take steps after your recent election E2023/121**

An election has recently been completed by the Australian Electoral Commission (AEC) for the Real Estate Employers' Federation and a post-election report has been issued by the AEC.

This letter explains the next steps you must take, including what information you need to give to members 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 the Commission at [regorgs@fwc.gov.au](mailto: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 we 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 approved 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 receive 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 *Fair Work (Registered Organisations) Act 2009* (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](mailto: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.

**Real-life example of penalties in Court** An 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](mailto:regorgs@fwc.gov.au).

Yours sincerely

**Fair Work Commission**



The Commission has an interim [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.

8 September 2023

# Post-election report

Real Estate Employers' Federation  
Insufficient Nominations election  
E2023/121

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# Election(s) Covered in this Report

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Organisation: Real Estate Employers' Federation  
Election: Insufficient Nominations  
Election Decision No/s: E2023/121

## Rules

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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/](http://www.aec.gov.au/ieb/)

## Other Matters

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Returning Officer actions required (Section 193): No  
Details: N/A

## Signed

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Benjamin Murray  
Returning Officer  
Australian Electoral Commission  
E: IEEvents@aec.gov.au  
P: 03 9285 7111  
8 September 2023

# Attachments

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## A. Declaration of results for Uncontested Offices



**Real Estate Employers' Federation**  
**DECLARATION OF RESULTS - E2023/121**  
**Uncontested Offices**

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**Insufficient Nominations 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**

**Vice President (1)**

Candidates

BAKER Linda

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

Benjamin Murray  
Returning Officer  
Telephone: 03 9285 7111  
Email: IEBevents@aec.gov.au  
08/09/2023





## DECISION

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

**Real Estate Employers' Federation**  
(E2023/121)

MR STEENSON

SYDNEY, 23 JUNE 2023

*Arrangement for conduct of election.*

[1] On 9 June 2023 the Real Estate Employers' Federation lodged with the Fair Work Commission prescribed information for an election to fill the following office for the remainder of the term, due to insufficient nominations received in its recent scheduled election (**E2022/235**):

Vice President

(1)

[2] 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 *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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PR755095

**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, **Christian Sidney Payne**, being the **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 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 elections in Annexure A.



Signed: **Christian Sidney Payne – President**

Dated: 9 June 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](mailto:regorgs@roc.gov.au).

## Annexure A

- Elections that are required

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

### Important dates:

	Direct Voting System	Collegiate Electoral System – 1 x Vice-President
Nominations OPEN	N/a	To be determined by the returning officer – as per Rule 34
Nominations CLOSE	N/a	To be determined by the returning officer – as per Rule 34
Election held	N/a	To be determined by the returning officer – as per Rule 34