



FAIR WORK  
COMMISSION

20 May 2013

Ms Patricia Ellis  
Secretary  
Real Estate Association of New South Wales  
PO Box 8269 BC  
BAULKHAM HILLS NSW 2153

Sent by email: [trish@reansw.asn.au](mailto:trish@reansw.asn.au)

Dear Ms Ellis,

**Re: Annual Return of Information Contained in Records of Organisation - s233 Fair Work (Registered Organisations) Act 2009 - Real Estate Association of New South Wales (AR2013/290)**

I refer to the declaration and records providing information in accordance with sub-section 233(1) of the *Fair Work (Registered Organisations) Act 2009* ('the Act') which was lodged with the Fair Work Commission on 26 March 2013.

The document lodged covers the following information:

- The number of members as at 31 December 2012;
- A list of offices of the organisation and the persons holding those offices;
- The address of the office of the organisation;
- A statement in relation to elections due to be held in the year commencing 1 January 2013;
- A statement that the register of members has been kept and maintained as required by paragraph 230(1)(a) and subsection 230(2) of the Act;
- A statement that the information is true and correct.<sup>1</sup>

The documents have been filed.

Yours sincerely

Stephen Kellett  
Senior Adviser,  
Regulatory Compliance Branch

---

<sup>1</sup> Cf the exact wording of subsection 233(1)(b) provides that the secretary must certify that the lodged copy of records required to be kept under paragraphs 230(1)(b), (c), and (d) is "a *correct statement of the information contained in those records*" (i.e. the original records). For the avoidance of doubt, the wording of the Act should be used.

**From:** KELLETT, Stephen  
**To:** ["Trish Ellis"](#)  
**Subject:** Attention Ms Trish Ellis - Annual return of information - s233 RO Act - filing  
**Date:** Monday, 20 May 2013 10:09:00 AM  
**Attachments:** [AR2013\\_290 REANSW \(final\).pdf](#)

---

Dear Trish,

Please see the attached letter in relation to the above.

Yours sincerely

**STEPHEN KELLETT**

Senior Adviser,

Regulatory Compliance Branch

**Fair Work Commission**

Tel: (02) 6723 7237

Mob: 0429 462 979

Fax: +61 2 9380 6990

[stephen.kellett@fwc.gov.au](mailto:stephen.kellett@fwc.gov.au)

80 William Street, East Sydney NSW 2011

[www.fwc.gov.au](http://www.fwc.gov.au)

**From:** [Orgs](#)  
**To:** [KELLETT, Stephen](#)  
**Subject:** FW: ON CMS+ AR2013/290 Annual returns of information 2013  
**Date:** Saturday, 18 May 2013 3:21:00 PM  
**Attachments:** [Annual return information 2012 \(Committee\).PDF](#)

---

**From:** Trish Ellis [mailto:trish@reansw.asn.au]  
**Sent:** Tuesday, 26 March 2013 1:03 PM  
**To:** Orgs  
**Subject:** ON CMS+ AR2013/290 Annual returns of information 2013

Good Afternoon,  
Please find attached Annual returns information required by 31 March 2013 in relation to 31 December 2012 records

Kind Regards,

**Trish Ellis** *LREA*  
*Secretary*

w: (02) 9672 6777  
f: (02) 9672 6772  
m: 0410 614 650  
e: [trish@reansw.asn.au](mailto:trish@reansw.asn.au)

**REA NSW**  
[www.reansw.asn.au](http://www.reansw.asn.au)

Real Estate  
Association of NSW

## MAINTENANCE OF REGISTER OF MEMBERS

I, Patricia Ann Ellis am the **Secretary of the Real Estate Association of NSW** at Suite 110, 29-31 Lexington Drive Bella Vista NSW 2153 certify that a register of members of the association has been kept and maintained as required by *ss230(1)(a) and (2)*.

## LIST OF OFFICES

I state that there are no offices or branches of the Association.  
*s230(1)(b)*

## LIST OF OFFICE HOLDERS

A list of names of Office holders is attached marked annexure 'A'  
*s230(1)(c)*

## LIST OF BRANCHES

I state that there are no branches of the Association.  
*s230(1)(d) and reg. 147(a)*

## NEW BRANCHES

I state that no new branches commenced operation in the previous 12 months.  
*s230(1)(d) and reg. 147(b)*

## OLD BRANCHES

I state that no branches ceased operation in the previous 12 months.  
*s230(1)(d) and reg. 147(c)*

## ADDRESSES OF ORGANISATION AND BRANCHES

I state that the address of the Association is Suite 110, 29-31 Lexington Drive Bella Vista NSW 2153, PO Box 8269 Baulkham Hills B/C 2153.  
*s230(1)(d) and reg. 147(d)*

## ELECTIONS IN ORGANISATIONS AND BRANCHES

I state that no elections were held during the year commencing 1<sup>st</sup> January of the year in which this return is lodged.  
*s230(1)(d) and reg. 147(e)*


*Representing People in Industrial Relations & Workplace Matters*

STATEMENT CONCERNING NUMBER OF MEMBERS


I, Patricia Anne Ellis of The Real Estate Association of New South Wales declare  
that the number of financial members of the organisation as at 31 December 2012  
was 126.

S 230 (1) (d) and reg. 147(f) and (g)

I certify that the above information is true and correct.

Signed  at Bella Vista on 26<sup>th</sup> March 2013

Patricia Anne Ellis

  
Witness \_\_\_\_\_ JP 134471

Henry Lewocki

**Real Estate Association of New South Wales.**

**List of current office holders as at 31.12.12**

<b>Desmond Duke</b>	[REDACTED]	<b>President</b>
<b>Retired salesperson</b>		
<b>Patricia Ellis</b>	[REDACTED]	<b>Secretary</b>
<b>Working for Real Estate Association</b>		
<b>Adam Silva</b>	[REDACTED] 70	<b>Assist.Secretary</b>
<b>Salesperson</b>		
<b>Gregory Tebb</b>	[REDACTED]	<b>Treasurer</b>
<b>Salesperson</b>		
<b>Pierre Broudou</b>	[REDACTED]	<b>Vice. President</b>
<b>Retired salesperson</b>		
<b>Robert Bell</b>	[REDACTED]	<b>Committee</b>
<b>Salesperson</b>		
<b>Leanne Turner</b>	[REDACTED]	<b>Committee</b>
<b>Salesperson</b>		

*Representing People in Industrial Relations & Workplace Matters*

**w:** (02) 9672 6777 **f:** (02) 9672 6772 **e:** info@reansw.asn.au **p:** PO Box 8269 BC Baulkham Hills , NSW 2153  
**a:** Suite 1, 10 Versatile Building 29-31 Lexington Drive, Bella Vista 2153

<b>Kate Gabanski</b>	<b>[REDACTED]</b>	<b>Committee</b>
<b>Property Manager</b>		
<b>Eric Lundberg</b>	<b>[REDACTED]</b>	<b>Committee</b>
<b>Salesperson</b>		
<b>Jim Voulgaris</b>	<b>[REDACTED]</b>	<b>Committee</b>
<b>Salesperson</b>		



FAIR WORK  
COMMISSION

22 March 2013

Ms Patricia Ellis  
Secretary  
The Real Estate Association of New South Wales  
Sent by email: [trish@reansw.asn.au](mailto:trish@reansw.asn.au)

Dear Ms Ellis,

**The Real Estate Association of New South Wales  
Annual Return of Information for 2013 [AR2013/290]**

I refer to our letter of mid February 2013 reminding you of the obligation to lodge an Annual Return of Information for 2013 in respect of the above by **31 March 2013**. As it is noted that you have not as yet lodged your Annual Return, we provide the following as a second and final reminder. Please ignore this letter if you have lodged the Annual Return for 2013 in the last few days. Please also note that this type of return is separate to a financial report for the organisation.

A signed and dated declaration certifying matters prescribed in the *Fair Work (Registered Organisations) Act 2009* [the 'RO Act'] must be lodged with the Fair Work Commission ('the Commission') by that date. The matters to be included in the declaration are set out in the attached checklist.

The declaration must be signed by the Secretary, or where applicable, such other elected official who is required under the rules or by resolution of the organisation, to keep the relevant records. A declaration signed by a non-elected person does not meet this requirement. The Secretary or other prescribed officer must also notify the Commission within 35 days of any changes to such records.

Once an Annual Return or change of records has been lodged, a copy will be posted on the Commission's website at [www.fwc.gov.au](http://www.fwc.gov.au) – under [Registered organisations - List of registered organisations](#). In order to protect the privacy of the relevant office holders listed in declarations, you may wish to list their official mailing address rather than personal home address.

The Commission encourages you to lodge all returns electronically e.g. as pdf files at [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au). Please ensure that emailed documents include signatures where required.

**Please note: failure to comply with these obligations is subject to a civil penalty provision** (up to \$33,000 for a body corporate and \$6,600 for an individual per contravention) - see s.305 of the RO Act. Further, in maintaining the register of members, your attention is drawn to s.171A of the RO Act that outlines the circumstances where membership ceases to exist.

Please do not hesitate to contact me on (03) 8661 7936 or by e-mail at [robert.pfeiffer@fwc.gov.au](mailto:robert.pfeiffer@fwc.gov.au) if you wish to discuss the requirements outlined in this correspondence.

Yours sincerely

Robert Pfeiffer  
Senior Adviser  
Regulatory Compliance Branch



### Obligation to lodge Annual Return of Information by 31 March

For full details see ss.230-233 of the *Fair Work (Registered Organisations) Act 2009* (the 'RO Act'), and rr.147-151 of the *Fair Work (Registered Organisations) Regulations 2009* (the 'RO Regulations').

A copy of each of the following records must be lodged with the Fair Work Commission ('The Commission') between 1 January and 31 March each year. They must be certified by a declaration stating that it is a correct statement of the information contained in that record, signed by the Secretary or such other elected official who is required under the rules, or by resolution of the organisation, to keep the relevant records (**other prescribed officer** see r.150 of the RO Regulations).

**Failure to comply with these obligations is subject to a civil penalty provision – see s.305 of the RO Act.**

Requirement	Details of requirement
Maintenance of Register of Members	A declaration by the Secretary or other prescribed officer certifying that the register of members has, during the immediately preceding calendar year, been kept and maintained as required by ss.230(1)(a) and (2) <i>[s.233(1)(a)]</i> <b>Note:</b> In maintaining the register of members, your attention is drawn to s.171A of the RO Act that outlines the circumstances where membership ceases to exist.
List of Offices	A list of the offices in the organisation and each branch (note the definition of <b>office</b> and <b>officer</b> in ss.6 and 9) <i>[s.230(1)(b)]</i>
List of Office holders	A list of the names, postal addresses and occupations of the persons holding the offices (note the definition of <b>office</b> and <b>officer</b> in ss.6 and 9) <i>[s.230(1)(c)]</i>
List of Branches	A record of the name of each branch of the organisation <i>[s.230(1)(d) and r.147(a)]</i>
New Branches	A record of the name of each branch that commenced operation in the previous 12 months <i>[s.230(1)(d) and r.147(b)]</i>
Old Branches	A record of the name of each branch that ceased operation in the previous 12 months <i>[s.230(1)(d) and r.147(c)]</i>
Addresses of Organisation and Branches	A record of the address of the office of the organisation and the address of the office of each branch <i>[s.230(1)(d) and r.147(d)]</i>
Elections in Organisation and Branches	A record of each election that must, under the rules of the organisation, be held during the year commencing 1 January of the year in which the return is lodged, for any offices in the organisation and branches of the organisation . <i>[s.230(1)(d) and r.147(e)]</i> <b>Note:</b> this provision does not relieve an organisation or branch from the separate requirement to lodge prescribed information prior to each election, as required by s.189 of the RO Act
Statement concerning number of members	A record of the number of members on 31 December in the previous year; and If the organisation has entered into an agreement relating to members of State unions under s.151(1) of the RO Act, - a record of the number of members of the organisation who were (on 31 December in the previous year) ineligible State members in relation to the organisation within the meaning of s.150 of the RO Act. <i>[s.230(1)(d) and rr.147(f) and (g)]</i>

### Obligation to notify of changes within 35 days

If there are any changes during the year to the list of offices, list of officeholders, list of branches (where relevant) and the address of the organisation and/or its branches an organisation must, within 35 days of the change, lodge with The Commission, a notification of such changes certified by declaration signed by the secretary or other prescribed officer of the organisation to be a correct statement of the changes made [*RO Act s.233(2) and RO Regulations r.151 refer*].



FAIR WORK  
COMMISSION

19 February 2013

Ms Patricia Ellis  
Secretary  
The Real Estate Association of New South Wales

Sent by email: [info@reansw.asn.au](mailto:info@reansw.asn.au)

Dear Ms Ellis,

**The Real Estate Association of New South Wales  
Annual Return of Information for 2013 [AR2013/290]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2013 in respect of the above by **31 March 2013**.

A signed and dated declaration certifying matters prescribed in the *Fair Work (Registered Organisations) Act 2009* [the 'RO Act'] must be lodged with the Fair Work Commission ('the Commission') by that date. The matters to be included in the declaration are set out in the attached checklist.

The declaration must be signed by the Secretary, or where applicable, such other elected official who is required under the rules or by resolution of the organisation, to keep the relevant records (other prescribed officer). A declaration signed by a non-elected person does not meet this requirement. The Secretary or other prescribed officer must also notify the Commission within 35 days of any changes to such records.

Once an Annual Return or change of records has been lodged, a copy will be posted on the Commission's website at [www.fwc.gov.au](http://www.fwc.gov.au)— under [Registered organisations - List of registered organisations](#). In order to protect the privacy of the relevant office holders listed in the declarations, you may wish to list their official mailing address rather than personal home address.

The Commission encourages you to lodge all returns electronically e.g. as pdf or tif files at [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au) . Please ensure that emailed documents include signatures where required.

**Please note: failure to comply with these obligations is subject to a civil penalty provision** (up to \$33,000 for a body corporate and \$6,600 for an individual per contravention), see s.305 of the RO Act. Further, in maintaining the register of members, your attention is drawn to s.171A of the RO Act that outlines the circumstances where membership ceases to exist.

Please do not hesitate to contact me on (03) 8661 7936 or by e-mail at [robert.pfeiffer@fwc.gov.au](mailto:robert.pfeiffer@fwc.gov.au) if you wish to discuss the requirements outlined in this correspondence.

Yours sincerely,

Robert Pfeiffer  
Senior Adviser  
Regulatory Compliance Branch

### Obligation to lodge Annual Return of Information by 31 March

For full details see ss.230-233 of the *Fair Work (Registered Organisations) Act 2009* (the 'RO Act'), and rr.147-151 of the *Fair Work (Registered Organisations) Regulations 2009* (the 'RO Regulations').

A copy of each of the following records must be lodged with the Fair Work Commission ('The Commission') between 1 January and 31 March each year. They must be certified by a declaration stating that it is a correct statement of the information contained in that record, signed by the Secretary or such other elected official who is required under the rules, or by resolution of the organisation, to keep the relevant records (**other prescribed officer** see r.150 of the RO Regulations).

**Failure to comply with these obligations is subject to a civil penalty provision – see s.305 of the RO Act.**

Requirement	Details of requirement
Maintenance of Register of Members	A declaration by the Secretary or other prescribed officer certifying that the register of members has, during the immediately preceding calendar year, been kept and maintained as required by ss.230(1)(a) and (2) [s.233(1)(a)] <b>Note:</b> In maintaining the register of members, your attention is drawn to s.171A of the RO Act that outlines the circumstances where membership ceases to exist.
List of Offices	A list of the offices in the organisation and each branch (note the definition of <b>office</b> and <b>officer</b> in ss.6 and 9) [s.230(1)(b)]
List of Office holders	A list of the names, postal addresses and occupations of the persons holding the offices (note the definition of <b>office</b> and <b>officer</b> in ss.6 and 9) [s.230(1)(c)]
List of Branches	A record of the name of each branch of the organisation [s.230(1)(d) and r.147(a)]
New Branches	A record of the name of each branch that commenced operation in the previous 12 months [s.230(1)(d) and r.147(b)]
Old Branches	A record of the name of each branch that ceased operation in the previous 12 months [s.230(1)(d) and r.147(c)]
Addresses of Organisation and Branches	A record of the address of the office of the organisation and the address of the office of each branch [s.230(1)(d) and r.147(d)]
Elections in Organisation and Branches	A record of each election that must, under the rules of the organisation, be held during the year commencing 1 January of the year in which the return is lodged, for any offices in the organisation and branches of the organisation . [s.230(1)(d) and r.147(e)] <b>Note:</b> this provision does not relieve an organisation or branch from the separate requirement to lodge prescribed information prior to each election, as required by s.189 of the RO Act
Statement concerning number of members	A record of the number of members on 31 December in the previous year; and If the organisation has entered into an agreement relating to members of State unions under s.151(1) of the RO Act,- a record of the number of members of the organisation who were (on 31 December in the previous year) ineligible State members in relation to the organisation within the meaning of s.150 of the RO Act. [s.230(1)(d) and rr.147(f) and (g)]

### Obligation to notify of changes within 35 days

If there are any changes during the year to the list of offices, list of officeholders, list of branches (where relevant) and the address of the organisation and/or its branches an organisation must, within 35 days of the change, lodge with The Commission, a notification of such changes certified by declaration signed by the secretary or other prescribed officer of the organisation to be a correct statement of the changes made [RO Act s.233(2) and RO Regulations r.151 refer].