

The Real Estate Association of New South Wales Schedule Election 2013

Declaration of Results for Contested and Uncontested Offices

Below are 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.

The Real Estate Association of NSW

Total number of names on the roll of voters	115
Ballot papers issued	115
Replacement ballot papers issued	1
Total Ballot Papers Issued	116
Ballot papers / envelopes returned for scrutiny	29
Less ballot papers / envelopes rejected at preliminary scrutiny	1
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	28
Percentage of ballot papers returned to number issued	25%
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	87

Vice President

<u>Candidates</u>	<u>Votes</u>
VOULGARIS, Jim	19
BELL, Robert	9
Total votes	28
Formal ballot papers	28
Informal ballot papers	0

I declare Jim Voulgaris elected.

Executive Committee Member (5)

<u>Candidates</u>	<u>Votes</u>
LUNDBERG, Eric	11
GABANSKI, Kate	23
BELL, Robert	22
HICKEY, Damian	21
TURNER, Leanne	22
BELL, Raffaella	15
Total votes	114
Formal ballot papers	27
Informal ballot papers	1

I declare Raffaella Bell, Robert Bell, Kate Gabanski, Damian Hickey and Leanne Turner elected.

President

Candidates

DUKE, Des

I declare Des Duke elected.

Secretary

Candidates

ELLIS, Patricia

I declare Patricia Ellis elected.

Assistant Secretary

Candidates

SILVA, Adam

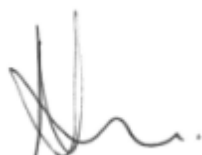
I declare Adam Silva elected.

Treasurer

Candidates

TEBB, Gregory R

I declare Gregory R Tebb elected.



Nicole Hoy
Returning Officer
Australian Electoral Commission

17 September 2013



Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Client: The Real Estate Association of New South Wales

Contact details: Ms Patricia Ellis Secretary
Email: trish@reansw.asn.au
Tel: 02 9672 6777

FWC contact officer: David Vale
Email: Industrial.elections@fwc.gov.au
Tel: 02 8374 6637

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2013/190

RULES

Rules used for elections Rule ID: [144N: As at registration on 3 February 2010 in matter D2009/10000]

Rules difficult to apply/interpret: None
Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the roll	115	
Number of apparent workplace addresses	Nil	0 %
Number of non-current addresses	Nil	0%
Other Matters	Nil	

ALLEGATIONS OF IRREGULARITIES RECEIVED

Details of written allegations of irregularities, and action taken by AEC:

Allegations were raised in regards to some of the candidates' eligibility to be members of the Association. The RO examined certified records in relation to the membership status of all candidates and was satisfied that all candidates were current members of the association.

Other irregularities identified, and action taken: N/A

ATTACHMENTS

A: Declaration of uncontested and contested offices

Nicole Hoy
Returning Officer
17 September 2013



FAIR WORK
COMMISSION

15 June 2013

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

Also by facsimile: (02) 9672 6772

Dear Ms Ellis

Arrangements for the conduct of an Election (E2013/190)

A copy of the decision in relation to the above matter is enclosed.

The Fair Work Commission is making arrangements, under subsections 189(3) of the *Fair Work (Registered Organisations) Act 2009*, with the Electoral Commissioner for the conduct of the subject election by a member of staff of the Australian Electoral Commission, who will contact you in the near future about the election.

After analysis of the Association's rulebook for this election, I noticed an ambiguity in rule 15. Sub-rule 15(r) provides that elections will be declared at the Annual General Meeting in the month of September, and in every fourth year following. The ambiguity arises in sub-rule 15(s), which refers to the "annual election" of officers on the Executive Committee.

Accordingly, I recommend that an alteration be made to sub-rule 15(s) of the rulebook to remove any ambiguity regarding the phrase "annual election". Specifically, I recommend replacing the words "annual election" with "the Annual General Meeting".

If you would like to discuss this matter, please don't hesitate to contact me on (02) 8374 6509.

Yours sincerely

David Vale
Principal Adviser
Regulatory Compliance Branch, NSW
Fair Work Commission



DECISION

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

The Real Estate Association of New South Wales
(E2013/190)

CHRIS ENRIGHT

MELBOURNE, 5 JUNE 2013

Arrangement for conduct of election.

[1] On 24 May 2013 The Real Estate Association of New South Wales lodged with the Fair Work Commission the prescribed information in relation to an election:

[2] On 28 May 2013 the Fair Work Commission wrote to the Association and requested amended prescribed information, stating the electorate for the offices concerned.

[3] On 3 June 2013 the Association lodged amended prescribed information which included the electorate, for the following offices:

Executive Committee

President	(1)
Vice President	(1)
Secretary	(1)
Assistant Secretary	(1)
Treasurer	(1)
Executive Committee Member	(5)

[4] 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 GENERAL MANAGER
FAIR WORK COMMISSION

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MOLONEY, Carolyn

From: MOLONEY, Carolyn
Sent: Wednesday, 5 June 2013 10:40 AM
To: 'Industrial Elections'
Subject: E2013/190
Attachments: E2013_190_quadrennial election_signed decision 05062013.pdf; REANSW E2013_190 letter to send_05062013.pdf

Dear AEC

Please find attached a copy of the Decision for the Real Estate Association of New South Wales (REANSW) for its upcoming scheduled election (E2013/190).

Kind regards,

CAROLYN MOLONEY
Assistant Adviser
Regulatory Compliance Branch

Fair Work Commission
Tel: 02 8374 6510
Fax: 02 9380 6990
carolyn.moloney@fwc.gov.au

Level 8, Terrace Tower, 80 William Street
East Sydney NSW 2011

www.fwc.gov.au

Please be aware that my email address has changed to carolyn.moloney@fwc.gov.au effective 1 January 2013. Please update your records accordingly.

15 June 2013



FAIR WORK
COMMISSION

Electoral Commissioner Through

Australian Electoral Officer (industrial.elections@aec.gov.au)

Under subsection 189 of the Fair Work (Registered Organisations) Act 2009, please arrange for the conduct of the following election by the Australian Electoral Commission:

E No 2013/190

RE: THE REAL ESTATE ASSOCIATION OF NEW SOUTH WALES

Positions:

See Decision

Relevant Information: Scheduled quadrennial election.

Contact: Patricia Ellis - Secretary, The Real Estate Association of New South Wales

Phone: (02) 9672 6777

A copy of the decision is enclosed.

I further request that you arrange for this office to be notified that arrangements for the conduct of this election have been made, by email transmission at industrial.elections@fwa.gov.au

Carolyn Moloney

Assistant Adviser

Fair Work Commission

Terrace Towers
80 William Street
East Sydney NSW 2011

Telephone: (02) 8374 6666
International: (612) 8374 6666
Facsimile: (02) 9380 6990
Email: sydney@fwa.gov.au

VALE, David

From: VALE, David
Sent: Monday, 3 June 2013 9:50 AM
To: 'Industrial Elections'
Subject: E2013/190
Attachments: REANSW_E2013_190_Further PI lodged_03062013.pdf

Dear AEC

Please find further prescribed information from the Real Estate Association of New South Wales in election number E2013/190.

Yours sincerely

DAVID VALE
Principal Adviser,
Regulatory Compliance Branch, NSW

Fair Work Commission
Tel: 02 8374 6509
Fax: 02 9380 6990
david.vale@fwc.gov.au

Please be aware that my email address has changed to david.vale@fwc.gov.au effective 1 January 2013. Please update your records accordingly.

Level 8, Terrace Tower
80 William Street
East Sydney NSW 2011

www.fwc.gov.au

29th May 2013.

Mr David Vale
Principal Advisor
Fair Work Commission
80 William Street
East Sydney 2011



Dear Sir,

Arrangements for conduct of an Election (E2013/190)

Further to our application dated 20 May 2013 for the conduct of an Election and your letter dated 28 May 2013, I wish to advise the following:

1. In accordance with Regulation 138(1)(d) of the Fair Work (Registered Organisations) Regulations 2009 I wish to advise that the election for office shall be open to financial members of the Real Estate Association of New South Wales (Federally Registered).

Yours faithfully,

P Ellis
Secretary



FAIR WORK
COMMISSION

28 May 2013

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

Also by fax: (02) 9672 6772

Dear Ms Ellis

Re: Arrangements for the conduct of an Election (E2013/190)

I refer to the prescribed information dated 20 May 2013 which was lodged with the Fair Work Commission (**FWC**) on 24 May 2013 for the conduct of a scheduled election for offices of The Real Estate Association of New South Wales (**REANSW**).

Regulation 138(1)(d) of the *Fair Work (Registered Organisations) Regulations 2009* provides that prescribed information lodged pursuant to section 189(1) of the *Fair Work (Registered Organisations) Act 2009 (the Act)* must identify who the electorate is. Accordingly could you lodge further prescribed information identifying who the electorate is for these scheduled elections.

Once the further prescribed information is lodged we will be in a position to issue a decision for the Australian Electoral Commission.

If you have any questions relating to this matter please do not hesitate to contact me on (02) 8374 6509.

Yours sincerely

David Vale
Principal Adviser,
Regulatory Compliance Branch, NSW
Fair Work Commission

VALE, David

From: VALE, David
Sent: Friday, 24 May 2013 3:28 PM
To: 'Industrial Elections'
Subject: E2013/190
Attachments: REANSW E2013_190 lodged 24052013.pdf; REANSW 144N_D2009_10000 Rules as at registration 03022010.doc

Dear AEC

Please find the prescribed information and a copy of the current rulebook of the Real Estate Association of New South Wales in election number E2013/190.

Yours sincerely

DAVID VALE
Principal Adviser,
Regulatory Compliance Branch, NSW

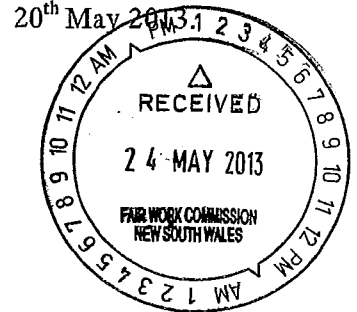
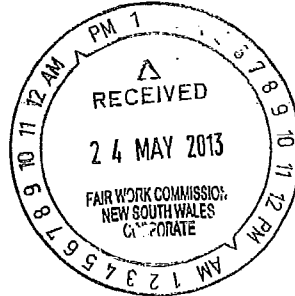
Fair Work Commission
Tel: 02 8374 6509
Fax: 02 9380 6990
david.vale@fwc.gov.au

Please be aware that my email address has changed to david.vale@fwc.gov.au effective 1 January 2013. Please update your records accordingly.

Level 8, Terrace Tower
80 William Street
East Sydney NSW 2011

www.fwc.gov.au

General Manager
Fair Work Commission
80 William Street
Sydney 2000



Dear Sir

**REAL ESTATE ASSOCIATION OF NSW
APPLICATION FOR CONDUCT OF ELECTIONS**

The rules of the Association require an election for all Executive positions whose terms of office expire this year in September.

I enclose a statement for the purposes of Section 189 and Regulation 138 of the Fair Work (Registered Organisations) Act 2009.

I would be pleased if your office could arrange for an election to be conducted for the officers and positions specified in the attached statement.

Should you wish any further information, please do not hesitate to contact me.

Yours faithfully

P Ellis
Secretary.

Fair Work (Registered Organisations) Act 2009
Application for an Election

I, Patricia Anne ELLIS, of Suite 110, 29-31 Lexington Drive, Bella Vista New South Wales 2153, Secretary of the Real Estate Association of NSW make the following statement for the purposes of Section 189 (1) of the Registered Organisations Act and regulation 138:

1. I am the Secretary of the Real Estate Association of NSW and I am authorised to make this application and sign this statement.

The prescribed information for the purposed of Regulation 138 is as follows:

(a) The number and name of each office and position required is:-

1 President
1 Vice President
1 Secretary
1 Assistant Secretary
1 Treasurer
5 Committee members

(b) The reason for the election is that the terms of office expires this year.

2. Nominations

- (a) The Roll of Voters shall close on the 26th July 2013, 14 days prior to nominations being called on Monday 12nd August 2013. Nominations shall be received by the returning officer no later than 5.00pm on 26th August 2013.
- (b) Should a ballot be required, ballot papers shall be sent to financial members home address and be returned and received by the Returning Officer no later than 5.00pm on the 13th September 2013, the second Friday in September 2013.
- (c) The ballot will be declared at the Annual General Meeting to be held on the 18th September 2013.

3 The voting system shall be first past the post postal voting system.

This statement was made and signed by me on the 22nd May 2013.



Patricia Anne Ellis
Secretary