

13 April 2012

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

FILECOPJ

Dear Ms Ellis

Re: Lodgment of Financial Accounts and Statements – Real Estate Association of New South Wales – for year ending 31 December 2011 (FR2011/2770)

Thank you for your reply dated 13 April 2012 which was received today by email.

I have noted your advice and your undertakings. The documents have now been filed.

Please feel welcome to contact me at any time if you wish to discuss any aspect of financial reporting in relation to future financial reporting under the *Fair Work (Registered Organisations) Act 2009.*

Yours sincerely,

Stephen Kellett FAIR WORK AUSTRALIA



Real Estate Association of NSW An Industrial Trade Union of Employees ABN 97 990 913 437

13th April, 2012.

Mr Stephen Kellett Fair Work Australia Terrace Towers, 80 William Street East Sydney 2011



Dear Mr Kellett

Re: Lodgement of Financial Accounts – Real Estate Association of New South Wales – for year ending 31st December 2011 (FR2011/2770)

I acknowledge receipt of your letter dated 10^{th} April 2012, and the observations and comment made therein.

With respect to matters raised in paragraphs 1, 2, 3, 4, I have noted the requirements and undertake that future financial reports for our Association will comply with those requirements.

Regarding paragraph 5, "Certificate of Prescribed Designated Officer" your comments are noted, the Association sent copies of the audited accounts to the members on the 23^{rd} March 2012, however, a copy of the Auditors report was not included. It was subsequently sent on the 3^{rd} April 2012. I will ensure that in future the reports that will be provided to the members will comply with section 265(5) of the Act.

Referring to paragraph 6, I acknowledge that the Operating Report indicated that the organisation has three (3) full-time employees. This is incorrect; the State Registered Organisation has three (3) full-time employees who perform work for the Federal Registered Organisation as provided for in the Memorandum of Understanding between the two Associations. Those employees are remunerated by the State Registered Organisation. I apologise for this oversight.

In conclusion I would like to extend my sincere thanks to you for assisting me with the issues surrounding submission of our Financial Accounts and Statements. Due to the fact that there are two organisation involved, it has made some issues confusing. However, with the advice and assistance provided by you I will ensure that the future reports will comply with the Fair Work Act 2009.

Yours faithfully

Trish Ellis Secretary

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

KELLETT, Stephen

Subject:FW: Annual returns REA NSWAttachments:Repy to FWA re annual returns compliance.PDF

From: trish ellis [mailto:acbctrish@yahoo.com.au] Sent: Friday, 13 April 2012 11:13 AM To: KELLETT, Stephen Subject: Re: Annual returns REA NSW

Hi Stephen, Please find attached reply to your letter. I will send the original in todays mail.

Kind Regards,



Please consider the impact to the environment and your responsibility before printing this email.

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13th April, 2012.

Mr Stephen Kellett Fair Work Australia Terrace Towers, 80 William Street East Sydney 2011



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In conclusion I would like to extend my sincere thanks to you for assisting me with the issues surrounding submission of our Financial Accounts and Statements. Due to the fact that there are two organisation involved, it has made some issues confusing. However, with the advice and assistance provided by you I will ensure that the future reports will comply with the Fair Work Act 2009.

Yours faithfully

Trish Ellis Secretary

Representing People in Industrial Relations & Workplace Matters

FAIR WORK

AUSTRALIA

10 April 2012

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

Dear Ms Ellis

ILE COP

Re: Lodgment of Financial Accounts and Statements – Real Estate Association of New South Wales – for year ending 31 December 2011 (FR2011/2770)

Thank you for lodging the above financial statements and accounts which were received by Fair Work Australia today, 10 April 2012.

I have noted the terms of the Agreement between the State-registered union and the federal organisation. I draw your attention to the following matters.

- (1) The "Cash Disbursements Journal" and the "Cash Receipts Journal" appear, if combined, to contain the information that would be disclosed in a "Statement of Cash Flows" as required by section 253(2)(c)(iii) of the *Fair Work (Registered Organisations) Act 2009* ("the Act").
- (2) Similarly, the entries under Equity on the Balance Sheet appear to disclose the information that a separate "Statement of Changes in Equity" would disclose.

However, Fair Work Australia would insist that future financial report statements comply with the form and descriptions in the Act and the relevant Accounting Standard (AASB 101) [see paragraphs 10, 106, 111, ICAA *Financial Reporting Handbook* 2012, pp.461, 475-476].

- (3) The report did not include Notes as required by the Australian Accounting Standards (*ibid.* paragraph 112, p.476). Future financial reports must include Notes providing relevant information.
- (4) The report did not include the Notice required by section 272(5) of the Act. Future financial reports must include the Notice.
- (5) According to the Certificate of Prescribed Designated Officer, the report was presented to a second meeting on 3 April, which was 8 days after the report was provided to the members. If the second meeting is to be a General Meeting, then it is important to ensure copies of the signed report are provided to members at least 21 days prior to the meeting. This is to comply with section 265(5) of the Act.
- (6) The Operating Report indicates that the organisation has three (3) full-time employees. However, the Profit and Loss Statement shows a nil balance for "Wages & Salaries". I seek your clarification as to this discordance.

I also seek your undertaking to rectify the abovementioned issues in future financial reports for the federal organisation. I will file the documents upon receipt of your advice.

Yours sincerely,

Stephen Kellett

FAIR WORK AUSTRALIA

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

KELLETT, Stephen

From: Sent: To: Subject: Attachments: Trish Ellis [trish@reansw.asn.au] Tuesday, 10 April 2012 11:07 AM KELLETT, Stephen Annual returns REA NSW Annual returns for rederal org 2011.PDF

Please find attached (finally) the completed annual returns

for 2011 financial year.

Kind Regards,

Trish Ellis LREA

Secretary

w: (02) 9672 6777 f: (02) 9672 6772 m: 0410 614 650

e: trish@reansw.asn.au



CERTIFICATE BY PRESCRIBED DESIGNATED OFFICER

s268 Fair Work (Registered Organizations) Act 2009 (formerly s268 of Schedule 1 Workplace Relations Act 1996)

I, (name) PATRICIA ELLIS

a prescribed designated officer of the Real Estate Association of New South Wales, certify that the financial statements and accounts for the year ended 30 June 2011 lodged with Fair Work Australia are :

- copies of the full report referred to in s268 of the Fair Work (Registered Organisations) Act 2009
- copies of the documents provided to/published for members $on/from / \chi_b/3/\chi$ and
- subsequently presented to a second meeting, in accordance with section 266, held on 3 / 4 / 12.

(Signature)

(Position) SECRET ARY

Date 10 14/12.

OPERATING REPORT

The Committee of Management of the REA NSW and Federal Office ("the Union") present their Operating Report on the Union for the year ended 30 June 2011.

Committee of Management

The names of the Committee of Management in office at any time during the year are:

NAME	POSITION	PERIOD OF APPOINTMENT
Des Duke	Federal President	30/9/09-29/9/13
Patricia Ellis	Federal Secretary	30/9 /09 – 29/9/13
Adam Silva	Federal Assistant Secretary	30/9/09 - 29/9/13
Greg Tebb	Federal Treasurer	30/9/09 – 29/9/13
Pierre Broudou	Federal Vice President	30/9/09 – 29/9/13
Lea Turner	Federal Executive Committee	30/9/09 – 29/9/13
Kate Gabanski	Federal Executive Committee	30/9/0 9 – 29/9/13
Jim Voulgaris	Federal Executive Committee	30/9 /09 – 29/9/13
Robert Bell	Federal Executive Committee	30/9/09 - 29/9/13
Eric Lundberg	Federal Executive Committee	30/9/09 – 29/9 /13

Principal Activities

The principal activities of the Union during the year were:-

- Implementation of decision of the Federal Executive Committee.
- Maintenance of Union Rules, Registrations and Affiliations.
- Representing the Unions interest.
- Provide legal support to Members on workplace and compensation matters.
- Conducting Award and Workplace Agreement negotiations and undertaking Award compliance activities.
- Promoting and marketing the Union in an effort to increase membership.

Results of Activities

The result of the Union for the financial year was a profit of \$6,352.

The Union has been involved in lobbying and negotiating with different levels of Government and key industry organisations around issued of importance, including but not limited to industrial and compensation matters.

The Union has successfully recruited new members in conjunction with an objective of recruitment and training.

Significant Changes in Nature of Activities

There were no significant changes in the nature of activities of the Union during the year.

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Significant Changes in Financial Affairs

This is our initial full year of operation.

Membership of the Union

There were 124 financial members of the Union as at 30 June, 2011.

Rights of Members to Resign

All members of the Union have the right to resign in accordance with Clause No. 11 of the Union Rules (and section 174 of the Fair Work (Registered Organisations) Act 2009).

Employees of the Union

As at 30 June 2011 the Union employed 3 full time employees.

Patricia Ellis Federal Secretary

Dated this Tuesday, 6 March-20127 March, 2012

COMMITTEE OF MANAGEMENT STATEMENT

On 7 March, 2012 the Committee of Management of Real Estate Association of NSW ("the Union"), passed the following resolution in relation to the general purpose financial report (GPFR) of the Union, for the financial year ended 30 June 2011:

The Committee of Management declares in relation to the GPFR that in its opinion:

- (a) The financial statements and notes comply with Australian Accounting Standards;
- (b) The financial statements and notes comply with the reporting guidelines of the General Manager of Fair Work Australia;
- (c) The financial statements and notes give a true and fair view of the financial performance, financial position and cash flows of the Union for the financial year to which they relate;
- (d) There are reasonable grounds to believe that the Union will be able to pay its debts as and when they become due and payable;
- (e) During the financial year to which the GPFR relates and since the end of that year:-
 - Meetings of the Committee of Management were held in accordance with the rules of the Union; and
 - ii) The financial affairs of the Union have been managed in accordance with the rules of the Union; and
 - 111) The financial records of the Union have been kept and maintained in accordance with the Fair Work (Registered Organisations) Act 2009) ("The RO Act"); and
 - No information has been sought in any request of a member of the Union or by the General Manager duly made under section 272 of the Fair Work (Registered Organisations) Act 2009; and
 - V) No orders of inspection of financial records have been made by Fair Work Australia or FWA under section 273 of the Fair Work (Registered Organisations) Act 2009; and
- (f) During the financial year ended 30 June 2011 no recovery of wages activities have been undertaken by the Union.

Signed for and on behalf of the Committee of Management by:

Patricia Ellis Federal Secretary Dated this 7 March, 2012

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AUDITOR'S REPORT

We report that we have inspected and audited the accounting records of the Real Estate Association of N.S.W, an Organisation of employees registered pursuant to the Fair Work (Registered Organisations) Acts 2009 in relation to the financial year of the organisation ended 30th June, 2011 and report that in our opinion satisfactory accounting records were kept by the organisation in relation to the year, including:

(a)

- (i) records of the sources and nature of the income of the organisation (including income from members); and
- (ii) records of the nature and purposes of the expenditure of the organisation;

In my opinion the general purpose financial report of the Real Estate Association of N.S.W, an Organisation of employees registered pursuant to the Fair Work (Registered Organisations) Acts 2009 is presented fairly in accordance with the Australian Accounting Standards and the requirements of Chapter 8, Part 3 of the Fair Work (Registered Organisations) Act 2009 in relation to the financial year of the organisation ended 30th June, 2011 and were properly drawn up so as to give a true and fair view of:

(b)

- (i) the financial affairs of the organisation as at the end of the year; and
- (ii) the income and expenditure, and any surplus or deficit, of the organisation for the year; and
- (c)
- (i) All information, being information which was reasonably wanted for the purpose of this audit, which was required and sought by us by any person authorised by us for the purpose of this audit, was provided.

We also understand that to the extent that there was any deficiency, failure or shortcoming in relation to the matters referred to above, I must report particulars and that those particulars, if any, which form part of this report, are attached.

LITTLEWOODS Chartered Accountants A. Reisen C.A. Reg. 4336 Registered Company Auditor Suite 601 74 Pitt Street, Sydney NSW 2000

Dated this 15th March, 2012

P O Box 8269 BAULKHAM HILLS NSW 2153

Profit & Loss Statement

June 2011

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Income	
Schedule "E" registrations	\$5,556.40
Listing Fees	\$0.00
Membership fees	\$295.49
Delivery Fees Collected	\$0.00
Late Fees Collected	\$0.00
Miscellaneous Income	\$500.00
Fuel Tax Credits	\$0.00
Total Income	\$6,351.89
Cost of Sales	
Freight	\$0.00
Total Cost of Sales	\$0.00
Gross Profit	\$6,351.89
Expenses	
Advertising	\$0.00
Bank charges	\$0.00
Broker Commissions Paid	\$0.00
Depreciation Expense	\$0.00
Discounts	
Discounts Given	\$0.00
Discounts Taken	\$0.00
Dues & Subscriptions	\$0.00
Insurance	\$0.00
Late Fees Paid	\$0.00
Leasehold improvements Expense	\$0.00
Legal & Accounting	\$0.00
Maintenance & Repairs	\$0.00
Office Supplies	\$0.00
Employment Expenses	40.00
Staff Amenities	\$0.00
Superannuation	\$0.00
Wages & Salaries	\$0.00
Workers' Compensation	\$0.00
Other Employer Expenses	\$0.00
Total Employment Expenses	\$0.00
Photography Supplies	\$0.00
Postage	\$0.00 \$0,00
Rent	\$0.00
Telephone	\$0.00
Travel & Entertainment	\$0.00 \$0.00
Services	ອຸບ.ບບ
Gas	\$0.00
Electricity	\$0.00
Water	\$0.00
Total Expenses	\$0.00
Operating Profit	\$6,351.89
Other Income	
Interest Income	\$0.00
Total Other Income	\$0.00
Other Expenses	
Interest Expense	\$0.00
Total Other Expenses	\$0.00
Net Profit / (Loss)	\$6,351.89

P O Box 8269 BAULKHAM HILLS NSW 2153

Balance Sheet

As of June 2011

6/03/2012

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Assets		
Current Assets		
Cash On Hand		
Cheque Account	\$6,937.08	
Payroll Cheque Account	\$0.00	
Cash Drawer	\$0.00	
Petty Cash	\$0.00	
Undeposited Funds	\$0.00	
Electronic Clearing Account	\$0.00	
Total Cash On Hand	\$6,937.08	
Trade Debtors	\$0.00	
Less Prov'n for Doubtful Debts	\$0.00	
Trust Account	\$0.00	
Inventory	\$0.00	
Withholding Credits		
Voluntary Withholding Credits	\$0.00	
ABN Withholding Credits	\$0.00	
Total Withholding Credits	\$0.00	
Total Current Assets	\$6,937.08	
Other Assets	¢0.00	
Prepaid Insurance	\$0.00	
Deposits Paid Total Other Assets	\$0.00	
Fixed Assets	\$0.00	
Office Equipment Office Equip at Cost	\$0.00	
Office Equip Accum Dep	\$0.00	
Total Office Equipment	\$0.00	
Leasehold Improvements	<i>40.05</i>	
Improvements at Cost	\$0.00 ·	
Improvements Amortisation	\$0.00	
Total Leasehold Improvements	\$0.00	
Motor Vehicles	••••	
Motor Vehicles at Cost	\$0,00	
Motor Vehicles Accum Dep	\$0.00	
Total Motor Vehicles	\$0.00	
Total Fixed Assets	\$0.00	
Total Assets	\$6,937.0	08
1 1-6100		
Liabilities Current Liabilities		
Credit Cards		
Bankcard	\$0.00	
Diners Club	\$0.00 \$0.00	
MasterCard	\$0.00	
Visa	\$0.00	
Total Credit Cards	\$0.00	
Trade Creditors	\$0.00	
A/P Accrual - Inventory	\$0.00	
GST Liabilities	• -	
GST Collected	\$585.19	
GST Paid	\$0.00	
Total GST Liabilities	\$585.19	
Fuel Tax Credits Accrued	\$0.00	
WET Payable	\$0.00	
Import Duty Payable	\$0.00	
Voluntary Withholdings Payable	\$0.00	
ABN Withholdings Payable	\$0.00	
Luxury Car Tax Payable	\$0.00	
Payroll Liabilities	Ar	
Payroll Accruals Payable	\$0.00	
PAYG Withholding Payable	\$0.00	
Total Payroll Liabilities	\$0.00	
Client Deposits Other Current Liabilities	\$0.00	
After Annalit Fignuties	\$0.00	

Balance Sheet

As of June 2011

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Total Current Liabilities Long-Term Liabilities Mortgages Payable Bank Loans Other Long-Term Liabilities Total Long-Term Liabilities Total Liabilities	\$585.19 \$0.00 \$0.00 \$0.00 \$0.00 \$585.19
Net Assets	\$6,351. <u>89</u>
Equity Partners' Equity Partner A Partner A Capital Partner A Drawings Total Partner A Partner B	\$0.00 \$0.00 \$0.00
Partner B Capital Partner B Drawings Total Partner B Total Partners' Equity Retained Earnings Current Year Earnings Historical Balancing Total Equity	\$0.00 \$0.00 \$0.00 \$0.00 \$6,351.89 \$0.00 \$6,351.89 \$0.00 \$6,351.89

P O Box 8269 BAULKHAM HILLS NSW 2153

Cash Disbursements Journal

1/07/2010 To 30/06/2011

6/03/2 1•04·2	2012 31 PM					Page
	ID#	Acct#	Account Name	Debit	Credit	Job No.
CD	30/ 0 6	V2011 R	eal Estate Associatio of nsw (st	ate)		
	ADJ	1-1110	Cheque Account		\$128,741.77	
	ADJ	4-1000	Schedule "E" registrations	\$122,240.86		
	ADJ	4-2500	Membership fees	\$6,500.91		
			Grand Total:	\$128,741.77	\$128,741.77	

P O Box 8269 BAULKHAM HILLS NSW 2153

Cash Receipts Journal

1/07/2010 To 30/06/2011

	/2012 :44 PM					Page 1
	ID#	Acct#	Account Name	Debit	Credit	Job No.
CR	10/06/2	2011 O	pening funds for federal accou	nt		
	CR000011	1-1110	Cheque Account	\$500.00		
	CR000011	4-5000	Miscellaneous Income		\$500.00	
CR	30/06/	2011 In	accordance with agreement w	ith state registered	org.	
	CR000015	1-1 110	Cheque Account	\$128,741.77	-	
	CR000015	4-1000	Schedule "E" registrations		\$122,240.86	
	CR000015		Membership fees		\$6,500.91	
			Grand Total:	\$129,241.77	\$129,241.77	

P O Box 8269

BAULKHAM HILLS NSW 2153

		Reconciliatio	on Report		
6/03/2012 1:05:22 PM					Page 1
ID#	Date	MemolP	ayee	Deposit	Withdrawa
Cheque Date of Bank S		-1110 Cheq 0/06/2011	ue Account		
Reconciled Cheque	5				
ADJ	30/06/201	1 Real Estate Asso	ociatio of nsw (\$128,741.73
			Total:	\$0.00	\$128,741.77
Reconciled Deposi	ts				
CR000011 CR000018				\$500.00 \$128,741.77	
			Total:	\$129,241.77	\$0.0
Reconciliation					
AccountRight Pre	mier Balance (on 30/06/2011:	\$500. 00		
	Add: Outstan	ding Cheques:	\$0. 00		
		Subtotal:	\$500.00		
D	educt: Outstar	iding Deposits:	\$0.00		

AGREEMENT BETWEEN

REAL EATATE ASSOCIATION OF NSW (STATE REGISTERED ASSOCIATION) ABN: 97 990 913 437

AND

REAL ESTATE ASSOCIATION OF NSW (FEDERALLY REGISTERED ASSOCIATION) ABN: 76 820 470 847

It is recognised that the Real Estate Association of NSW (State registered Association ABN 97 990 913 437) is the purchaser and owner of the union office located at 1.10 Lexington Drive, Bella Vista NSW 2153. It is further recognised that all or any cash assets, monetary investments, office equipment, furniture, fixtures and fittings are held and owned by the State registered association (ABN 97 990 913 437).

The Real Estate Association of NSW (Federally registered association ABN 76 820 470 847) agrees that it has no claim or ownership on any of the above.

This agreement sets out the terms and condition of services provided to the Real Estate Association of NSW (Federally registered association ABN 76 820 470 847) by the Real Estate Association of NSW (State registered association ABN 97 990 913 437).

- 1) The State registered association (ABN 97 990 913 437) shall pay for all costs associated with the operation of the union office, including but not limited to: insurance, utilities, rates, purchase of equipment, repairs and maintenance.
- 2) The State registered association's (ABN 97 990 913 437) employees shall provide administrative and industrial services for and on behalf of the Federally registered association (ABN 76 820 470 847).
- 3) The State registered association (ABN 97 990 913 437) shall from time to time as agreed to by the committee of management,

supplement the income of the Federally registered association (ABN 76 820 470 847).

- 4) The Federally registered association (ABN 76 820 470 847) shall collect and receive all monies for the registration of employment agreements commission schedules.
- 5) In recognition of the services provided to the Federally registered association (ABN 76 820 470 847) by the State registered association (ABN 97 990 913 437), the Federally registered association (ABN 76 820 470 847) shall pay 95% (after deduction of GST) of the monies received for the registration of such documents listed above to the State registered association (ABN 97 990 913 437). The State registered association (ABN 97 990 913 437). The State registered association (ABN 97 990 913 437) reserves the right to amend the amount or agree to a further amount from time to time if deemed necessary.

Signed for and on behalf of the State Registered Association (ABN 97 990 913 437)

Dube

Des Duke State President

Patricia Anne Ellis State Secretary

Signed for and on behalf of the Federally Registered Association (ABN 76 820 470 847)

Duke

Des Duke Federal President

Patricia Anne Ellis Federal Secretary



FAIR WORK Australia

17 January 2012

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



Dear Ms Ellis,

Re: Lodgement of Financial Statements and Accounts – Real Estate Association of New South Wales – for year ending 30 June 2011 (FR2011/2770)

There is no record of the abovementioned financial return having been lodged. The normal statutory period in which the return should have been lodged has now expired. This is a courtesy letter to remind you of the obligation to lodge audited financial accounts and statements with Fair Work Australia as soon as possible.

Yours sincerely,

Stephen Kellett Organisations, Research and Advice Branch

> 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



19 July 2011

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

Dear Ms Ellis,

FILE COP

Re: Lodgement of Financial Statements and Accounts – Real Estate Association of New South Wales - for year ending 30 June 2011 (FR2011/2770)

The financial year of the organisation ended on 30 June 2011. This is a courtesy letter to remind you of the obligation to prepare the reporting unit's financial documents and to lodge audited financial accounts and statements with Fair Work Australia within the prescribed time frame unless a 1 month extension is applied for and granted.

The documents you must lodge include:

(i) A general purpose financial report; (ii) A <u>Committee of Management statement</u> (iii) An <u>operating</u> <u>report</u>; (iv) An <u>auditor's report</u>; and (v) A <u>certificate</u> in accordance with section 268.

I draw your particular attention to

(a) s237 which requires you to prepare and lodge *a separate statement* providing the prescribed particulars of any loan, grant or donation made during the year which exceeds \$1,000;

(b) s265(5) which requires you to publish or otherwise *provide your members with completed/signed copies* of the audited accounts, report and statements before final presentation and lodgment; and

(c) s266 which requires you to <u>present the completed documents to an eligible meeting(s)</u> (either of the members or of the committee of management).

Relevant references may be found at <u>http://www.fwa.gov.au/index.cfm?pagename=regorgsfrguidelines</u> and <u>http://www.fwa.gov.au/index.cfm?pagename=legislationfwroact</u>.

Yours sincerely,

Stephen Kellett Statutory Services Branch