



9 March 2017

Mr Bryan Wilcox  
Chief Executive Officer  
Real Estate Employers' Federation  
Level 6, 99 Bathurst Street  
SYDNEY NSW 2000

via email: [admin@reef.org.au](mailto:admin@reef.org.au)

Dear Mr Wilcox

**Application pursuant to section 269 of the Fair Work (Registered Organisations) Act 2009 for the financial year ended 31 December 2016 (FR2016/415)**

I refer to your application pursuant to s269(2)(a) of the *Fair Work (Registered Organisations) Act 2009 (RO Act)*, lodged in the Fair Work Commission (**FWC**) on 3 March 2017, in respect of the Real Estate Employers' Federation (REEF) for the financial year ended 31 December 2016.

I am satisfied that REEF is a reporting unit and that its financial affairs for the financial year ended 31 December 2016 were encompassed by the Real Estate Employers' Federation of NSW (**the Association**), an associated State body registered under the *Industrial Relations Act 1996 (NSW)*. The attached certificate reflects this decision.

If you wish to discuss this matter, please contact Ms Joanne Fenwick on 03) 8656 4681 or by email to [joanne.fenwick@fwc.gov.au](mailto:joanne.fenwick@fwc.gov.au).

Yours sincerely

Chris Enright  
Director  
Regulatory Compliance Branch



# CERTIFICATE

*Fair Work (Registered Organisations) Act 2009*

*s.269(2)(a) - Reporting unit's financial affairs encompassed by associated State body*

**Real Estate Employers' Federation**  
(FR2016/415)

MR ENRIGHT

MELBOURNE, 9 MARCH 2017

*Reporting unit's financial affairs encompassed by associated State body*

[1] On 3 March 2017 an application was made under s269(2)(a) of the *Fair Work (Registered Organisations) Act 2009* (the Act) by the Real Estate Employers' Federation (the reporting unit) for a certificate stating that the financial affairs of the reporting unit are encompassed by the financial affairs of Real Estate Employers' Federation of NSW (the Association), an associated State body, in respect of the financial year ended 31 December 2016.

[2] On 3 March 2017, the reporting unit lodged a copy of the audited accounts of the Association with the Fair Work Commission (the Commission).

[3] I am satisfied that the Association:

- is a registered under the *Industrial Relations Act 1996 (NSW)*, a prescribed State Act; and
- is, or purports to be, composed of substantially the same members as the reporting unit; and
- has, or purports to have, officers who are substantially the same as designated officers in relation to the reporting unit; and
- is an associated State body.

[4] I am further satisfied that:

- the Association has in accordance with prescribed State legislation, prepared accounts, had those accounts audited, provided a copy of the audited accounts to its members and lodged the accounts with the relevant State authority;
- any member of the reporting unit who are not also members of the Association have been provided with copies of the accounts at substantially the same time as the members of the reporting unit who are members of the Association; and
- a report under s.254 of the Act has been prepared in respect of those activities of the reporting unit and has been provided to the members of the reporting unit with copies of the accounts.

[5] I am satisfied that the financial affairs of the reporting unit in respect of the financial year ending 31 December 2016, are encompassed by the financial affairs of the Association and I certify accordingly under s269(2)(a) of the Act.



DELEGATE OF THE GENERAL MANAGER

Printed by authority of the Commonwealth Government Printer

<Price Code A>



16 February, 2016

The General Manager  
Fair Work Commission  
PO Box 1994  
MELBOURNE VIC 3001



Dear Ms. O'Neill

**Re: Application pursuant to s269 of the *Fair Work (Registered Organisations) Act 2009***

The Real Estate Employers' Federation (registered under the New South Wales *Industrial Relations Act 1996*) makes application pursuant to section 269 of the *Fair Work (Registered Organisations) Act 2009* to be taken to have satisfied the requirements of the Act.

**Relief Sought**

1. That the General Manager issue a certificate stating that the financial affairs of the reporting unit are encompassed by the financial affairs of the associated state body for the financial year ending **31 December 2016**; and
2. That the Reporting Unit is taken to have satisfied Part 3 of Chapter 8 of the *Fair Work (Registered Organisations) Act 2009*.

**Grounds and Reasons**

Section 269 applies to the Real Estate Employers' Federation (hereinafter referred to as the "**Reporting Unit**") on the following basis:

1. The Real Estate Employers' Federation of NSW (hereinafter referred to as the "**associated State body**") is registered as an industrial organisation of employers under the New South Wales *Industrial Relations Act 1996*, a prescribed State Act;
2. The associated State body is composed of substantially the same members as the Reporting Unit;
3. The associated State body has the same officers as the Reporting Unit;
4. The associated State body has prepared accounts, had those accounts audited, provided a copy of the audited accounts to its members and lodged the accounts with the NSW Industrial Registrar (these audited accounts are attached);





5. All members of the Reporting Unit have been provided a copy of the Auditor's Report, Accounts and Operating Report (collectively the "Reports"), free of charge, in accordance with s263 of the *Industrial Relations Act 1996* and s265 of the *Fair Work (Registered Organisations) Act 2009*. The Reports were published on the Reporting Unit's website and members of the Reporting Unit were advised in the member newsletter where on the website the Reports could be obtained and also advising members that a hard copy of the Reports can be obtained by contacting the Reporting Unit's office;
6. The associated State body has prepared a report under s254 of the *Fair Work (Registered Organisations) Act 2009* which contains all the information prescribed in the regulations. As evidenced in 5 above, a copy of the Operating Report has been provided to all members; and
7. The financial affairs of the Reporting Unit are encompassed by the financial affairs of the associated State body for the financial year ending 31 December 2016.

The Real Estate Employers' Federation submits that based on the grounds and reasons stated herein that it has satisfied s269 of the *Fair Work (Registered Organisations) Act 2009* and consequently seeks relief as sought in this application.

Please do not hesitate to contact me or, alternatively, the Federation's Chief Executive Officer, Bryan Wilcox, if you have any questions or require further information.

Yours faithfully

**Fred Andriessen**  
**President**



# Real Estate Employers' Federation

Section 254 Fair Work (Registered Organisations) Act 2009 (RO Act)

Regulation 159 Fair Work (Registered Organisations) Regulations 2009 (RO Regs)

## OPERATING REPORT

The Committee of Management of the *Real Estate Employers' Federation* (the "Federation") presents its report for the financial year ended **31 December 2016**.

### **Review of principal activities, the results of those activities and any significant changes in the nature of those activities during the year**

*The principal activities of the Federation were to serve the interests of employers in the real estate industry. This included providing advice, guidance and support on all matters relating to employment as well as representing members in modern award and other industrial proceedings. In this regard, we provided assistance to well over 400 individual members, including the management of over 12,000 member enquiries on a broad range of employment issues. The Federation also took an active role in the modern award 4-year review before the Fair Work Commission.*

*There were no significant changes in the Federation's principal activities during 2016.*

### **Significant changes in financial affairs during the year**

*There was no significant change in the Federation's financial affairs in 2016.*

### **Right of members to resign**

*Members' rights to resign are set out in Rule 8 of the Federation's Rules. In summary, a member may resign from membership by written notice addressed and delivered to the Chief Executive Officer at the registered office of the organisation.*

### **Officer(s) and/or member(s) who are superannuation fund trustee(s) where criterion of being trustee is that the person is a member or officer of reporting unit**

*The Federation's Membership Services Director, Greg Paterson, is an elected Trustee Director of REI Super (the superannuation fund for the real estate industry). His appointment, through election by fund members, took effect from 1 December 2013. He does **not** hold the position because he is an employee of the Federation.*

### **Number of members**

*At the end of December 2016, there were 1,479 members.*

### **Number of employees (on a full time equivalent basis)**


*REEF employs 6 full time employees and 2 casual employees.*

**Names of all Committee of Management members who held office during the year and the period which each such person held office during the year**

<b>Name</b>	<b>Position on Committee</b>	<b>Period position held during the 2014 year</b>	<b>Name of company of which member is a director/representative</b>	<b>Principal Activity of company</b>
Bryan Wilcox	President	1 Jan – 29 Feb	Prime Eastern Realty Pty Ltd	Real Estate services
Fred Andriessen	Vice President	1 Jan – 29 Feb	Fred Andriessen & Assoc. Pty Ltd	Real Estate services
Fred Andriessen	President	29 Feb – 31 Dec	Fred Andriessen & Assoc. Pty Ltd	Real Estate services
Paul Byrne	Treasurer	1 Jan – 31 Dec	Byrne Bros. Realty Pty Ltd	Real Estate services
Christian Payne	Member	1 Jan – 15 Dec	Real Estate Team Pty Ltd	Real Estate services
Christian Payne	Vice President	15 Dec – 31 Dec	Real Estate Team Pty Ltd	Real Estate services
Joanne Thorpe	Member	29 Feb – 31 Dec	Mustex Pty Ltd	Real Estate services
Sandra Higgins	Member	1 Jan – 31 Dec	MyPlace Estate Agents Pty Ltd	Real Estate services
Paul Deegan	Member	1 Jan – 18 Aug	Rosecot Pty Ltd	Real Estate services
Paul Deegan	Vice President	18 Aug – 15 Dec	Rosecot Pty Ltd	Real Estate services
Paul Deegan	Member	15 Dec – 31 Dec	Rosecot Pty Ltd	Real Estate services
Neil Johnston	Member	1 Jan – 31 Dec	Rutherford Johnston Properties Pty Ltd	Real Estate services
Lisa Surian	Member	15 Dec – 31 Dec	John F. Surian Pty Ltd	Real Estate services

**No** Committee member held a company directorship or was a member of a Board of Directors because of their position on the Committee of Management of the Federation.

Signed in accordance with the resolution of the Committee of Management

<b>Date:</b>	16 February 2017
<b>Signature of designated officer:</b>	
<b>Name of designated officer:</b>	FRED ANDRIESSEN
<b>Office held:</b>	PRESIDENT



**THE REAL ESTATE EMPLOYERS' FEDERATION**

**FINANCIAL REPORT**

**31 DECEMBER 2016**



# THE REAL ESTATE EMPLOYERS' FEDERATION

## Committee's Report

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Your committee members submit the financial report of Real Estate Employers' Federation for the financial year ended 31 December 2016.

### Committee Members

The names of committee members as at 31 December, 2016 were:

Frederick Wilhelm Andriessen (President)

Christian Sidney Payne (Vice President)

Paul Patrick Byrne (Treasurer)

Robert Neil Johnston

Paul Gerard Deegan

Sandra Higgins

Joanne Elizabeth Thorpe

Lisa Surian

### Principal Activities

The principal activities of the Federation during the financial year were to provide support and services to the members of the Federation.


### Significant Changes

No significant change in the nature of these activities occurred during the year.

### Operating Result

The surplus for the year amounted to **\$2,021** (the 2015 surplus was \$80,842).

Signed in accordance with a resolution of the members of the committee.

  
.....  
**Frederick Wilhelm Andriessen – President**

  
.....  
**Paul Patrick Byrne – Treasurer**

Dated this 22<sup>nd</sup> day of February, 2017



## STIRLING INTERNATIONAL

CHARTERED ACCOUNTANTS

ABN 65 085 182 822

### **INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF THE REAL ESTATE EMPLOYERS' FEDERATION**

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We have audited the accompanying financial report, being a special purpose financial report of The Real Estate Employers' Federation, which comprises the committee's report, the assets and liabilities statement as at 31 December 2016, the statement of cash flows, the income and expenditure statement for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and the statement by members of the committee.

#### *Committee's Responsibility for the Financial Report*

The committee of the Federation is responsible for the preparation of the financial report and has determined that the basis of preparation described in Note 1 is appropriate to meet the requirements of Section 510(1) of the Industrial Relations Act 1991 and are appropriate to meet the needs of the members. The committee's responsibility also includes such internal controls as the committee determines are necessary to enable the preparation of a financial report that is free of material misstatement.

#### *Auditor's Responsibility*

Our responsibility is to express an opinion on the financial report based on our audit. We have conducted our audit in accordance with Australian Auditing Standards. These standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Federation's preparation of the financial report that gives a true and fair view, in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Federation's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the committee, as well as evaluating the overall presentation of the financial report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

## *Opinion*

In our opinion, the financial report presents fairly, in all material respects, the financial position of the Federation as at 31 December 2016 and its financial performance for the year then ended in accordance with the accounting policies described in Note 1 to the financial statements.

### *Basis of Accounting and Restriction on Distribution*

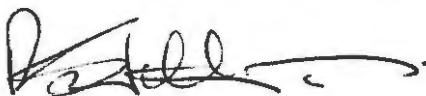
Without modifying our opinion, we draw your attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared to assist The Real Estate Employers' Federation to meet the requirements of the Industrial Relations Act 1991. As a result the financial report may not be suitable for any other purpose.

Also in our opinion:

- (a) there were kept by the Federation in respect of the year ended 31 December 2016, satisfactory accounting records detailing the sources and nature of the income of the Federation (including income from members) and the nature and purposes of expenditure; and,
- (b) the attached financial report and other reports, prepared in accordance with Section 510 of the Industrial Relations Act 1991 in relation to the year, were properly drawn up so as to give a true and fair view of:-
  - i) the financial position of the Federation as at 31 December 2016; and
  - ii) the income and expenditure, and result of the Federation for the year ended on that date; and
  - iii) all information, being information which was reasonably wanted for the purpose of the audit, which was required and sought by us or by any person authorised by us, for the purpose of the audit, was provided.

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

**STIRLING INTERNATIONAL**  
Chartered Accountants



**RC WILLIAMS**

Partner

Signed at Sydney on 22 February 2017

Level 4, 285 Clarence Street Sydney NSW 2000 Australia  
PO Box Q182 Sydney NSW 1230  
Telephone: (02) 8268 8188 Facsimile: (02) 8268 8199  
Email: [office@stirlinginternational.com.au](mailto:office@stirlinginternational.com.au)



# THE REAL ESTATE EMPLOYERS' FEDERATION

## Statement by Members of the Committee

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The committee has determined that the Federation is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

In the opinion of the committee the attached financial report:-

1. Presents a true and fair view of the financial position of the Federation as at 31 December 2016 and its performance for the year ended on that date.
2. At the date of this statement, there are reasonable grounds to believe that The Real Estate Employers' Federation will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the committee and is signed for and on behalf of the committee by:



.....  
**Frederick Wilhelm Andriessen – President**



.....  
**Paul Patrick Byrne – Treasurer**

Dated this 22<sup>nd</sup> day of February, 2017

# THE REAL ESTATE EMPLOYERS' FEDERATION

## Income and Expenditure Statement for the year ended 31 December 2016

	2016 \$	2015 \$
<b>INCOME</b>		
Members' subscriptions	975,452	954,747
Registration - letters of appointment	0	927
Member services - briefings	10,440	10,030
Corporate Relationships	5,000	13,618
Interest received	21,609	23,269
	<u>1,012,501</u>	<u>1,002,591</u>
<b>EXPENDITURE</b>		
Audit and accounting fees	8,000	8,000
Committee meeting expenses	33,413	39,542
Depreciation expense	13,606	20,220
Donations	500	909
Legal fees	22,461	13,035
PMS Licence fee	77,175	77,175
Provision for employee entitlements	14,950	16,697
Printing postage and stationery	46,412	41,726
Salaries and related costs	665,720	559,198
Strata fees	16,586	16,938
Other administration costs	111,657	128,309
	<u>1,010,480</u>	<u>921,749</u>
Surplus for the year	2,021	80,842
Accumulated funds at the beginning of the year	1,398,705	1,317,863
Accumulated funds at the end of the year	<u>1,400,726</u>	<u>1,398,705</u>

*The attached notes form part of the financial report.*

# THE REAL ESTATE EMPLOYERS' FEDERATION

## Assets and Liabilities Statement as at 31 December 2016

	Note	2016 \$	2015 \$
<b>Current Assets</b>			
Cash at bank and on hand		204,058	158,636
Cash on deposit		1,157,718	1,132,063
Prepayments	2	10,070	5,854
Interest receivable		0	5,212
<b>Total Current Assets</b>		<u>1,371,846</u>	<u>1,301,765</u>
<b>Non-Current Assets</b>			
Property, plant and equipment	3	1,168,172	856,485
<b>Total Non-Current Assets</b>		<u>1,168,172</u>	<u>856,485</u>
<b>Total Assets</b>		<u>2,540,018</u>	<u>2,158,250</u>
<b>Current Liabilities</b>			
Accounts payable and other payables	4	83,186	68,481
Members' subscriptions received in advance		603,936	537,523
Employee provisions	5	71,360	43,238
<b>Total Current Liabilities</b>		<u>758,482</u>	<u>649,242</u>
<b>Non-Current Liabilities</b>			
Employee provisions	5	74,569	110,303
<b>Total Non-Current Liabilities</b>		<u>74,569</u>	<u>110,303</u>
<b>Total Liabilities</b>		<u>833,051</u>	<u>759,545</u>
<b>Net Assets</b>		<u>1,706,967</u>	<u>1,398,705</u>
<b>Members' Funds</b>			
Accumulated funds		1,400,726	1,398,705
Reserves		306,241	0
<b>Accumulated Funds</b>		<u>1,706,967</u>	<u>1,398,705</u>

*The attached notes form part of the financial report.*

# THE REAL ESTATE EMPLOYERS' FEDERATION

## Statement of Cash Flows for the year ended 31 December 2016

	Note	2016 \$	2015 \$
<b>Cash flow from operating activities</b>			
Subscriptions received		1,049,817	1,062,345
Registration fees received		0	927
Other income		15,440	23,648
Interest received		26,821	20,547
Payments to suppliers and employees		(1,001,949)	(885,536)
		-----	-----
Net cash provided by operating activities	6 (b)	90,129	221,931
		-----	-----
<b>Cash flow from investing activities</b>			
Payment for plant and equipment		(19,052)	(44,142)
Proceeds from sale of motor vehicle		0	20,000
		-----	-----
Net cash used in investing activities		(19,052)	(24,142)
		-----	-----
Net increase in cash held		71,077	197,789
Cash at the beginning of the year		1,290,699	1,092,910
		-----	-----
Cash at the end of the year	6 (a)	1,361,776	1,290,699
		=====	=====

*The attached notes form part of the financial report.*

# THE REAL ESTATE EMPLOYERS' FEDERATION

## Notes to the financial statements for the year ended 31 December 2016

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### 1. Summary of Significant Accounting Policies

The financial statements are special purpose financial statements prepared to satisfy the financial reporting requirements of the Industrial Relations Act 1996 and the members. The Committee has determined that the Federation is not a reporting entity.

The financial statements have been prepared on an accrual basis and are based on historic costs and do not take into account changing money values or, except where specifically stated, current valuations of non-current assets.

The following significant accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of this financial report.

#### a) Income Tax

The income of the Federation is exempt from income tax under Section 23(h) of the Income Tax Assessment Act and no provision has been made in the accounts for income tax.

#### b) Property, Plant and Equipment

Strata property is carried at its fair value (being the amount for which an asset could be exchanged between knowledgeable willing parties in an arm's length transaction), based on periodic, but at least triennial, valuation by external independent value, less accumulated depreciation.

Any accumulated depreciation at the date of revaluation is eliminated against the gross carrying amount of the asset and the net amount is restated to the revalued amount of the asset.

Increases in the carrying amount arising on revaluation of strata property are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same asset are charged against revaluation surplus directly in equity; all other decreases are recognised in profit and loss.

Office furniture and equipment are carried at cost less, where applicable, any accumulated depreciation.

The depreciable amount of all plant and equipment is depreciated over the useful lives of the assets to the Federation commencing from the time the asset is held ready for use.

#### c) Employee Provisions

Provision is made for the Federation's liability for employee benefits arising from services rendered by employees to the end of the reporting period. Employee benefits have been measured at the amounts expected to be paid when the liability is settled.



## THE REAL ESTATE EMPLOYERS' FEDERATION

### Notes to the financial statements for the year ended 31 December 2016

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d) Cash and cash equivalents

Cash and cash equivalents includes cash on hand, deposits held at call with banks, other short-term highly liquid investments with original maturities of three months or less.

e) Revenue and Other Income

Revenue is measured at the fair value of the consideration received or receivable after taking into account any trade discounts and volume rebates allowed. For this purpose, deferred consideration is not discounted to present values when recognising revenue.

The liability for deferred subscriptions represents the amount of subscription received in advance for the next financial year on the condition that specified services are delivered or conditions fulfilled. The services are usually provided or the conditions usually fulfilled within twelve months of receipt of the funds.

Interest revenue is recognised using the effective interest rate method, which for floating rate financial assets is the rate inherent in the instrument. All revenue is stated net of the amount of goods and services tax (GST).

f) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Tax Office. In these circumstances, the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the assets and liabilities statement are shown inclusive of GST.

g) Accounts Payable and Other Payables

Accounts payable and other payables represent the liability outstanding at the end of the reporting period for goods and services received by the Federation during the reporting period that remain unpaid. The balance is recognised as a current liability with the amounts normally paid within 30 days of recognition of the liability.

# THE REAL ESTATE EMPLOYERS' FEDERATION

## Notes to the financial statements for the year ended 31 December 2016

	2016 \$	2015 \$
<b>2. Prepayments</b>		
Insurance	3,890	2,695
Subscriptions	2,065	2,233
Strata levies	3,909	0
Other	206	926
	----- 10,070	----- 5,854
	=====	=====
<b>3. Property, plant and equipment</b>		
Strata Property - at valuation (2015- at cost)	1,100,000	881,158
Less: accumulated depreciation	0	(87,399)
	----- 1,100,000	----- 793,759
	-----	-----
Office furniture and equipment - at cost	154,883	135,831
Less: accumulated depreciation	(116,948)	(112,121)
	----- 37,935	----- 23,710
	-----	-----
Motor Vehicle - at cost	41,067	41,067
Less: accumulated depreciation	(10,830)	(2,051)
	----- 30,237	----- 39,016
	-----	-----
Total property, plant and equipment	1,168,172	856,485
	=====	=====
<b>4. Accounts payable and other payables</b>		
Trade and other payables	31,071	24,318
GST payable	52,115	44,163
	----- 83,186	----- 68,481
	=====	=====

# THE REAL ESTATE EMPLOYERS' FEDERATION

## Notes to the financial statements for the year ended 31 December 2016

	2016 \$	2015 \$
<b>5. Employee Provisions</b>		
<b>Current</b>		
Annual leave	46,610	43,328
Other employee benefits	24,750	0
	<u>71,360</u>	<u>43,328</u>
<b>Non-Current</b>		
Long service and other leave provision	74,569	70,303
Other employee benefits	0	40,000
	<u>74,569</u>	<u>110,303</u>
<b>6. Reserves</b>		
Increment in value of Strata Property	<u>306,241</u>	<u>0</u>
<p>The Strata Property had been valued by Chesterton International on 21 February 2014 at \$1,100,000. The Committee accordingly resolved that the carrying value should be increased to \$1,100,000 at 31 December 2016.</p>		
<b>7. Cash Flow Information</b>		
a) Cash at the end of the year is shown in the assets and liabilities statement as follows:		
Cash at bank and on hand	204,058	158,636
Cash on deposit	1,157,718	1,132,063
	<u>1,361,776</u>	<u>1,290,699</u>

# THE REAL ESTATE EMPLOYERS' FEDERATION

## Notes to the financial statements for the year ended 31 December 2016

	2016 \$	2015 \$
<b>7. Cash Flow Information (continued)</b>		
b) Reconciliation of cash flow with operating surplus:		
Operating surplus for the year	2,021	80,842
Non-cash flow in operating surplus:-		
- Depreciation	13,606	20,220
- Charges to provisions	14,950	16,697
- Loss on sale of motor vehicle	0	3,130
- Payments out of provision	(22,562)	(6,920)
Changes in assets and liabilities:-		
Decrease/(increase) in other debtors and prepayments	996	(143)
Increase in creditors and accruals	14,705	507
Increase in subscriptions received in advance	66,413	107,598
Cash provided by operating activities	<u>90,129</u>	<u>221,931</u>

## 8. Specified Information for Members

Subsections (1) and (2) of Section 512 of the Industrial Relations Act 1991 provide as follows:

- (a) Section 512 (1):- A member of an organisation, or the Industrial Registrar, may apply to the organisation for specified information prescribed by the regulations in relation to the organisation. (Industrial Relations Regulations 1991, Clause 60).
- (b) Section 512 (2):- An organisation must, on the making of such an application, make the specified information available to the member or the Industrial Registrar in the manner, and within the time, prescribed by the regulations.

# THE REAL ESTATE EMPLOYERS' FEDERATION

## Statement by Committee of Management

We, the undersigned members of the Committee of management of The Real Estate Employers' Federation, hereby certify that in respect of the financial year ended 31 December 2016 that:

- (a) in the opinion of the committee of management the accounts show a true and fair view of the financial affairs of the Federation as at the end of the financial year to which they relate; and
- (b) in the opinion of the committee of management, during the financial year to which the accounts relate, meetings of the committee of management were, in the opinion of the committee, held in accordance with the rules of the Federation; and
- (c) to the knowledge of any member of the committee, there have not been, during the financial year to which the accounts relate, instances where records of the Federation or other documents (not being documents containing information made available to a member of the Federation under section 512 (2) of the 1991 Act, as applied by Section 282(3) of the Industrial relations Act 1996), or copies of those records or other documents, or copies of the rules of the Federation, have not been furnished, or made available, to the members of the Federation in accordance with the Act, this Regulation or the rules of the Federation, as the case may be; and
- (d) in relation to the report prepared in accordance with Section 514 of the 1991 Act as applied by Section 282(3) of the Industrial Relations Act 1996 by the auditor of the Federation in respect of the financial year immediately preceding the financial year to which the accounts relate and in relation to any accounts and statements prepared in accordance with Section 510 (1) of the 1991 Act to which that report relates, the Federation has complied with Section 517 (1) of the 1991 Act and whichever of subsections (5) and (6) of that section of that Act is applicable.

This certificate is in accordance with a resolution passed by the committee of management of the Federation in relation to the matters to be stated in the certificate.

  
.....  
**Frederick Wilhelm Andriessen – President**

  
.....  
**Paul Patrick Byrne – Treasurer**

Dated this 22<sup>nd</sup> day of February, 2017

## THE REAL ESTATE EMPLOYERS' FEDERATION

### Statement by the Accounting Officer

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I, Bryan Wilcox, the Accounting Officer of The Real Estate Employer's Federation hereby certify that to the best of my knowledge and belief that:

there were **1,479** members of this organisation as at the end of the financial year ended 31 December 2016;

and in my opinion:

- (a) the accounts show a true and fair view of the financial affairs of the Federation as at the end of the financial year; and
- (b) a record has been kept of all monies paid by, or collected from, members of the Federation, and all money so paid or collected has been properly credited to the bank account or accounts to which the money is to be credited, in accordance with the rules of the Federation; and
- (c) before any expenditure was incurred by the Federation, approval of the incurring of the expenditure was obtained in accordance with the rules of the Federation; and
- (d) no payment was made out of a fund referred to in clause 57 (b) (xiii) or (xv) of the Regulation for a purpose other than the purpose for which the fund was operated; and
- (e) all loans or other financial benefits granted to persons holding office in the Federation were authorised in accordance with the rules of the Federation; and
- (f) the register of members of the Federation was maintained in accordance with the Industrial Relations Act 1996.



**Bryan Wilcox**  
**Accounting Officer**

Signed at Sydney on 22<sup>nd</sup> February, 2017

## **THE REAL ESTATE EMPLOYERS' FEDERATION**

### **Statement of Particulars of Loans, Grants and Donations by Executive Director of an Organisation**

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I, Bryan Wilcox, Chief Executive Officer of The Real Estate Employers' Federation states, in respect of the financial year of the Federation ending 31 December 2016 that:

Relevant particulars are lodged herewith in relation to each donation of an amount exceeding \$1,000, which were made by the abovementioned Federation during the financial year:

No donations were made in excess of \$1,000.



.....  
**Bryan Wilcox**  
**Chief Executive Officer**

Signed at Sydney on 22<sup>nd</sup> February, 2017



## THE REAL ESTATE EMPLOYERS' FEDERATION


### Certificate by the Chief Executive Officer

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I, Bryan Wilcox, hereby certify that the documents lodged herewith are true copies of the financial report, auditors' report, and certificates of the Federation which will be presented to the general meeting of members of the Federation held on 27<sup>th</sup> April, 2017, in respect of the financial year ending 31 December 2016.

The documents lodged herewith are:

- (a) copies of the Financial report prepared in accordance with the requirements of Section 510(1) of the Act and clause 58 of the 1992 Regulation; as applied by Section 282(3) of the Industrial Relations Act 1996 (an account of income and expenditure and an account of assets and liabilities); and
- (b) a copy of the certificate given by the accounting officer of the Federation in accordance with the requirements of Section 510(2) of the 1991 Act and clause 59(1)(a) of the 1992 Regulation; and
- (c) a copy of the certificate given by the committee of management in accordance with the requirements of Section 510(2) of the 1991 Act and clause 59(1)(b) of the 1992 Regulation; and
- (d) a copy of the report of the auditor of the Federation prepared in accordance with the requirements of Section 514 of the 1991 Act; and
- (e) a statement by an officer of the organisation in respect of loans, grants or donations by the organisation which are notifiable in accordance with the requirements of Section 280 of the 1996 Act.



.....  
**Bryan Wilcox**  
**Chief Executive Officer**

Signed at Sydney on 22<sup>nd</sup> February, 2017





27 January 2017

Chief Executive Officer  
Real Estate Employers' Federation  
By Email: [admin@reef.org.au](mailto:admin@reef.org.au)

Dear Chief Executive Officer,

**Re: Lodgement of Financial Report - [FR2016/415]  
*Fair Work (Registered Organisations) Act 2009 (the RO Act)***

The financial year of the Real Estate Employers' Federation (the reporting unit) ended on 31 December 2016.

This is a courtesy letter to remind you of the obligation to prepare and lodge the financial report for the reporting unit by the due date under s.268 of the RO Act, that being within 14 days after the meeting referred to in s.266 of the RO Act.

Also you are reminded of the obligation to prepare and lodge a statement showing the relevant particulars in relation to each loan, grant or donation of an amount exceeding \$1,000 for the reporting unit during its financial year. Section 237 requires this statement to be lodged with the FWC within 90 days of the end of the reporting unit's financial year, that is on or before 31 March 2017.

### **The new Registered Organisations Commission**

The Registered Organisations Commission (the ROC) will be established in 2017.

Statements of loans, grants and donation and financial reports must be lodged with the Fair Work Commission until the ROC is established. Once the ROC is established, they must be lodged with the ROC.

It is not yet known when in 2017 the ROC will be established. The Fair Work Commission will be providing information on the transition to the ROC through its subscription service and its website. For details about the subscription service, go to [Subscriptions](#) and subscribe to the Registered organisations information service.

### **Where to lodge Statements of Loans Grants and Donations and Financial Reports**

	<b>Before the ROC is established</b>	<b>From establishment of the ROC</b>
<b>Where to lodge</b>	Lodge your statement of loans grants donations and your financial report with the Fair Work Commission	Lodge your statement of loans grants donations and your financial report and with the ROC
<b>How to lodge</b>	The easiest way to lodge is via email: <a href="mailto:orgs@fwc.gov.au">orgs@fwc.gov.au</a>	Lodgement methods are not yet known

## Our focus this year: timelines and disclosure of loans, grants and donations

Over the past year we have noted issues in organisations' financial reports relating to timelines and how loans, grants and donations are reported. We will be focusing closely on these areas this year. Please find attached below fact sheets relating to these requirements or alternatively visit our website for information regarding [financial reporting timelines](#) and [loans, grants and donations](#).

### Timelines

The RO Act sets out a particular chronological order in which financial documents and statements must be prepared, audited, provided to members and presented to a meeting. For your assistance, the attached *Timeline/Planner* summarises these requirements.

As stated above, section 237 requires the loans, grants and donations statement to be lodged with the FWC within 90 days of the end of the reporting unit's financial year, that is on or before 31 March 2017. A sample statement of loans, grants or donations is available at [sample documents](#).

### Fact sheets, guidance notes and model statements

Fact sheets and guidance notes in relation to financial reporting under the RO Act are provided on the Fair Work Commission (FWC) website. This includes a model set of financial statements which have been developed by the FWC. It is not obligatory to use this model but it is a useful resource to ensure compliance with the RO Act, the Reporting Guidelines and the Australian Accounting Standards. The model statements, Reporting Guidelines and other resources can be accessed through our website under [Financial Reporting](#) in the Running a Registered Organisation section.

### Civil penalties may apply

**It should be noted that s.268 and s.237 are civil penalty provisions.** If a loan, grant or donation over \$1000 has been made, failure to lodge a statement of loans, grants and donations may result in legal proceedings being issued with the possibility of a pecuniary penalty (up to \$54,000 for a body corporate and \$10,800 for an individual per contravention) being imposed upon your organisation and/or an officer whose conduct led to the contravention.

Failure to lodge a financial report may result in legal proceedings being issued with the possibility of a pecuniary penalty (up to \$54,000 for a body corporate and \$10,800 for an individual per contravention) being imposed upon your organisation and/or an officer whose conduct led to the contravention.

### Contact

Should you wish to seek any clarification in relation to the above, email [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).

Yours sincerely,

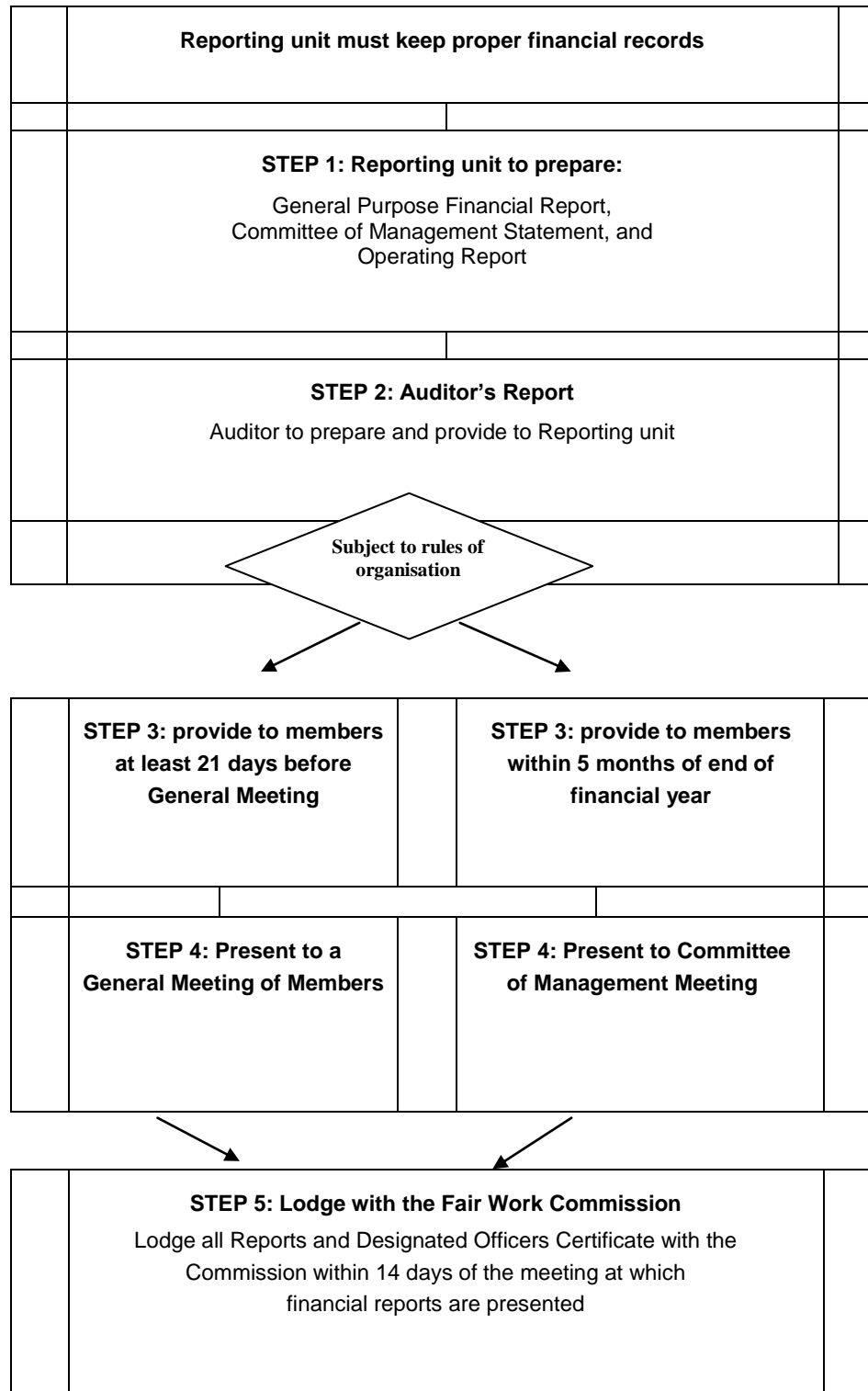


Marianne Kay  
Adviser  
Regulatory Compliance Branch

## Financial reporting timelines

Financial reports are to be lodged with the Fair Work Commission (the Commission) within 14 days of the meeting at which the financial reports have been presented, by completing the steps as outlined below.

See Fact sheet—Financial reporting for an explanation of each of these steps.



# Fact Sheet - Loans, Grants & Donations

## The Loans, Grants & Donations Requirements

The *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires an organisation or branch to lodge a loans, grants and donations statement (the statement) within **90 days** of the ending of the financial year.

Under the General Manager's Reporting Guidelines, a reporting unit's General Purpose Financial Report (the financial report) must break down the amounts of grants and donations (see below). The figures in the financial report will be compared to the loans, grants and donations statement.

## The Loans, Grants & Donations Statement

Section 237 of the RO Act applies to every loan, grant and donation made by an organisation or branch during the financial year that exceed \$1000. The following information must be supplied to the Commission for each relevant loan, grant or donation:

the amount,

the purpose,

the security (if it is a loan),

the name and address of the person to whom it was made,\* and







the arrangements for repaying the loan.\*

\*The last two items are not required if the loan, grant or donation was made to relieve a member of the organisation (or their dependent) from severe financial hardship.

The statement must be lodged within 90 days of the end of the financial year and the Commission has a [Template Loans, Grants and Donations Statement](#) on its website. The Commission encourages branches and organisations to lodge the statement even if all of the figures are NIL.

## Common misconceptions

Over the years, staff of the Commission have noted that there are some common misunderstandings made in relation to the Statement. They include:

Misconception	Requirement
 Only reporting units must lodge the Statement.	 All branches and organisations, regardless of whether they lodge a financial report, must lodge the statement within 90 days of the end of the financial year. An organisation cannot lodge a single statement to cover all of its branches.
 Employees can sign the Statement.	 The statement must be signed by an elected officer of the relevant branch.
 Statements can be lodged with the financial report.	 The deadline for the statement is much shorter (90 days) and if it is lodged with the financial report it is likely to be late.

## Grants & Donations within the Financial Report

Item 16(e) of the [General Manager's Reporting Guidelines](#) requires the reporting unit to separate the line items relating to grants and donations into grants or donations that were \$1000 or less and those that exceeded \$1000.

As such, the note in the financial report relating to grants and donations will have four lines.

In the [Commission's Model Statements](#) the note appears as follows:

### Note 4E: Grants or donations\*

Grants:	2016	2015
Total paid that were \$1,000 or less	-	-
Total paid that exceeded \$1,000	-	-
Donations:		
Total paid that were \$1,000 or less	-	-
Total paid that exceeded \$1,000	-	-
<b>Total grants or donations</b>	<b>-</b>	<b>-</b>

Item 17 of the General Manager's Reporting Guidelines requires that these line items appear in the financial report even if the figures are NIL.

### Implications for filing the Financial Report

During their review of the 2016 financial report staff of the Commission will confirm that the figures in the financial report match the disclosures made in the statement. Any inconsistencies in these figures will be raised with the organisation or branch for explanation and action.

This may involve lodging an amended loans, grants or donations statement. Any failure to lodge a loans, grants or donations statement or lodging a statement that is false or misleading can attract civil penalties under the RO Act.

If a reporting unit did not fully comply with these requirements in their 2015 financial report, its filing letter will have included a statement reminding the reporting unit of its obligations.

It is strongly recommended that all reporting units review their filing letters from the previous financial year to ensure any targeted concerns are addressed in their latest financial report. Failure to address these individual concerns may mean that a financial report cannot be filed.

Previous financial reports and filing letters are available from the [Commission's website](#).

### Further information

If you have any further questions relating to the loan, grant and donation disclosure requirements in the statement or the financial report, please contact the Regulatory Compliance Branch on [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au)