DECLARATION OF AUTHORISED OFFICER In accordance with Regulation 126 *Fair Work (Registered Organisations) Regulations 2009*

ALTERATION OF OTHER RULES OF ORGANISATIONS In accordance with section 159 of the *Fair Work (Registered Organisations) Act 2009*)

I, **Linda Baker** of **249 Greenhill Rd, Dulwich, South Australia** am the **President** of **the Real Estate Employers' Federation** and am authorised to give this notice of particulars of alterations to the rules of **the Real Estate Employers' Federation** and to make this declaration as required by Regulation 126 of the *Fair Work (Registered Organisations) Regulations 2009*.

1. I declare that the alterations were made in accordance with the rules of the Real Estate Employers' Federation.
2. The particulars of the rule alterations are attached to this declaration and labelled 'Schedule A'.
3. The actions taken under the rules to make this alteration were as follows:
   (a) The President called for a Committee Meeting.
   (b) The CEO, under instructions from the President, sent notice to the Committee on 10 September 2026 and included a copy of the proposed rule changes, which is attached to this declaration. The Committee were given at least one month's notice of the Meeting in accordance with Rule 45.
   (c) The Meeting was held on 14 October 2026.
   (d) REEF Rule 39 dictates that there must be at least 5 members of the Committee of Management in attendance at a general Committee meeting in order to satisfy the quorum requirements. The records show that there were 7 members of the Committee of Management present. As such the meeting was quorate.
   (e) The following resolution was passed unanimously by the Committee.

NOTICE OF MOTION

THAT:

1. *Rule 5 of the Federation's Rules be altered so that the Rule reads:*

   5. Eligibility for Membership

   The following categories of persons are eligible for membership of the Organisation:

   5.1 An unlimited number of persons in one or more of the following industries or businesses conducted in any State or Territory of Australia:

   5.1.1 Real Estate Sales Agency or Buyer's Agency;

   5.1.2 Property Management Agency;

   5.1.3 Strata Managing Agency;

   5.1.4 Business Broking Agency;

   5.1.5 Stock & Station Agency;

5.1.6 Real Estate Valuation Services;

5.1.7 Real Estate Auctioneering Services;

5.1.8 Any other business which employs:

(i) a salesperson to sell land or homes (including land/home packages), whether build or to be built; or

(ii) An employee performing property management functions; or

(iii) An Auctioneer; or

(iv) Any other employee requiring real estate qualifications under State or Territory real estate law to perform their duties.

5.2 For the purposes of this Rule, "person" means an employer who conducts a business in one or more of the above industries or businesses as a sole trader, partnership, corporation or trust.

2. *The President is authorised to instruct the CEO to make application to the Fair Work Commission to have the change detailed above, adopted as part of the Federation's Rules.*

3. *These alterations are to take effect immediately upon consent to the alterations being granted in accordance with section 158 of the Fair Work (Registered Organisations) Act 2009.*

4. I verify that the facts set out in this notice and the application are true and correct to the best of my knowledge and belief.

Linda Baker - President

26 October 2026

Fair Work Commission

About the F68 application form

Application for consent to the alteration of eligibility rules of an organisation

Who can use this form

Use this form if you want to obtain the consent of the Fair Work Commission (the Commission) to change the eligibility rules of an organisation under s.158 of the Fair Work (Registered Organisations) Act 2009 (RO Act).

About applications for rule changes

If an application is lodged with the Commission, the General Manager of the Commission will publish a notice in the government Gazette to inform interested parties of the application in accordance with reg. 122 of the Fair Work (Registered Organisations) Regulations 2009 (RO Regulations). It will be possible for any interested organisation, association or person to lodge an objection to the application within 35 days of the publication of that notice (see RO Regulations, reg. 124).

In dealing with an application to alter the eligibility rules of an organisation, the Commission will not (RO Regulations, reg. 125(1)):

- refuse to grant the application without giving the applicant an opportunity to be heard; or
- grant the application without giving any objector to the application (provided that the requirements for lodging an objection have been complied with) an opportunity to be heard.

If the Commission consents to the alteration to the organisation's eligibility rules, the alteration will take effect on the date specified in the consent or in other cases on the day of the consent (RO Act, s.158(9)). For more information, please see the Commission's fact sheet on altering the rules of registered organisations.

A change to the eligibility rules of an organisation under s.158 of the RO Act will not take effect unless the Commission consents to the alteration.

Lodging your completed form

Lodge this application form along with any accompanying documents with the Commission (RO Regulations, reg. 121).

You can lodge your application:

- by email to regorgs@fwc.gov.au, or
- by post or in person at the Commission's office in your state or territory.

Where to get help

Commission staff & resources

Commission staff cannot provide legal advice. However, staff can give you information on:

- processes in the Commission
- how to make an application to the Commission
- how to fill out forms
- where to find useful documents such as legislation and decisions
- other organisations that may be able to assist you.

The Commission's website www.fwc.gov.au also contains a range of information that may assist.

Throughout this form

This icon appears throughout the form. It indicates information to help you answer the question following.

Legal or other representation

Representation is where another person (such as a lawyer or paid agent, or an employee of a union or employer organisation) speaks or acts on a person's behalf, or assists a person in certain other ways in relation to a matter before the Commission. There is no requirement to be represented at the Commission.

There are some restrictions on representation by a lawyer or paid agent.

Generally, a person must give notice to the Commission (by lodging a Form F53 – Notice that a person: (a) has a lawyer or paid agent; or (b) will seek permission for a lawyer or paid agent to participate in a conference or hearing) and seek permission from the Commission Member dealing with the matter if they wish to have a lawyer or paid agent represent them by participating in a conference or a hearing.

Apart from participating in a conference or hearing, a person's lawyer or paid agent can represent them without permission, unless the Commission decides otherwise. For example, the lawyer or paid agent can prepare and lodge written applications, responses and submissions with the Commission, and communicate in writing with the Commission and other parties to the matter on the person's behalf.

The requirement to give notice and seek permission for a lawyer or paid agent to participate in a conference or hearing, does not apply if the lawyer or paid agent is:

- an employee or officer of the person or
- a bargaining representative that is representing the person or
- an employee or officer of an employee or employer organisation, or an association of employers or a peak council, that is representing the person.

Rule 13(2) of the Fair Work Commission Rules 2024 sets out further exceptions to the requirement to give notice and seek permission.

For more information about representation by lawyers and paid agents, see section 596 of the Fair Work Act 2009, rules 11, 12, 13 and 14 of the Fair Work Commission Rules 2024 and the Commission's practice note on representation by lawyers and paid agents.

Glossary of common terms

Applicant – This is the association that is making the application.

Interested person – To be interested, a person must have an 'industrial interest' in the matter (see *Metropolitan Coal Co of Sydney Ltd v Australian Coal and Shale Employees Federation* (1917) 24 CLR 85). This may include an organisation member or an official from another organisation.

Lawyer – This is a person who is admitted to the legal profession by a Supreme Court of a State or Territory.

Objector – The person or party objecting to an application made by an Applicant.

Paid agent – In relation to a matter before the Commission, is an agent (other than a bargaining representative) who charges or receives a fee to represent a person in the matter.

Party – A party is a person, organisation or association involved in a matter or case that is brought to the Commission.

Privacy

The Commission collects the information (including personal information) provided to it in this form for inclusion on the case file, and may disclose this information to the other parties to this matter and to other persons. For more details of the Commission's collection, use and disclosure of this information, please see the Privacy notice for this form, or ask for a hard copy to be provided to you.

Remove this cover sheet and keep it for future reference – it contains useful information

Form F68 – Application for consent to the alteration of the eligibility rules of an organisation

Fair Work (Registered Organisations) Act 2009, s.158

Fair Work (Registered Organisations) Regulations 2009, reg. 121

This is an application for consent to alter the eligibility rules of an organisation lodged with the Fair Work Commission in accordance with s.158 of the *Fair Work (Registered Organisations) Act 2009* and reg. 121 of the *Fair Work (Registered Organisations) Regulations 2009*.

The Applicant

These are the details of the organisation making an application for consent to alter its eligibility rules.

Legal name of organisation	Real Estate Employers' Federation		
Trading name of organisation	Real Estate Employers' Federation		
ABN/ACN	45-886-190-723		
Contact person	Bryan Wilcox		
Postal address	Suite 606, Level 6, 97-99 Bathurst Street		
Suburb	Sydney		
State or territory	NSW	Postcode	2000
Phone number	0419-177777		
Email address	Bryan@reef.org.au		

Note: If you provide a mobile number the Commission may send reminders to you via SMS.

If an application is not made in accordance with the requirements of reg. 121, the General Manager of the Commission must tell an applicant how the application or any statement made fails to comply with that regulation (see reg. 121(3)).

How would you prefer us to communicate with you?

☒ Email (you will need to make sure you check your email account regularly)

☐ Post

Does the Applicant need an interpreter?

If the Applicant has trouble accessing this information, please contact us. We can arrange to provide it in another format. You can find information about help for non-English speakers on our website.

☐ Yes – Specify language

☒ No

Does the Applicant require any special assistance at the hearing or conference (eg a hearing loop)?

☐ Yes – Please specify the assistance required

☒ No

Does the Applicant have a representative?

A representative is a person or organisation who is representing the Applicant. This might be a lawyer or paid agent, a union or employer organisation. There is no requirement to have a representative.

☐ Yes – Provide representative's details below

☒ No

Applicant's representative

These are the details of the person or organisation who is representing the Applicant (if any).

Name of person	N/a
Firm, organisation or company	
Postal address	
Suburb	
State or territory	Postcode
Phone number	

Email address

Is the Applicant's representative a lawyer or paid agent?

☐ Yes – please select: ☐ Lawyer

☐ Paid agent

☒ No

1. Proposed alteration to the organisation's eligibility rules

1.1 Specify:

- the proposed alteration to the organisation's eligibility rules, and
- the reason for the proposed alteration and
- the effect of that alteration.

You must sufficiently particularise this information so that it may be properly considered by the Commission (RO Regulations, reg. 121(2)(b)(ii)). Using numbered paragraphs, set out your response.

Note: Each alteration for which consent is sought must be highlighted using distinctive characters. For example, deleted or replaced text may be highlighted using ~~strikethrough~~ formatting and new text may be highlighted using underlining or italics (provided there is no ambiguity with the formatting).

It is proposed to delete the existing Rule 5 "Eligibility for Membership" and replace with an amended Rule 5 with the same heading.

See Attachment A

Reason for the proposed variation

The purpose of the proposed variation is to make Rule 5 easier to read and apply.

The current rule uses broad language, including the phrase *"engaged in or in connection with Property, Stock and Business Agency Industries"*. The amended rule keeps the same general coverage but sets it out in clearer categories so that members, prospective members, other organisations and the Commission can more readily identify who is eligible for membership.

The variation is not intended to expand or reduce the employers who may become members. It is intended to describe the existing membership coverage more clearly by listing the main types of real estate, property management, strata management, stock and station, business broking, valuation, auctioneering and related businesses covered by the rule.

The amended rule also uses current industry language and clarifies the types of business structures covered. In particular, it confirms that a "person" means an employer carrying on one or more of the listed businesses as a sole trader, partnership, corporation or trust. This will improve certainty and reduce the scope for misunderstanding about the operation of Rule 5.

Effect of the alteration

The effect of the alteration is to replace the existing Rule 5 with a clearer and more detailed statement of eligibility for membership. The amended rule will make it easier to identify the employers who are eligible to join the Organisation, while maintaining the existing scope of coverage. It will also reduce uncertainty by expressly identifying the relevant industry and business categories and the business structures through which eligible employers may operate.

Attach additional pages if necessary.

1.2 Have you attached a copy of the rules that are proposed to be altered?

You must also lodge with the application a copy of the rules that are proposed to be altered (RO Regulations, reg. 121(2)(e)).

☒ Yes – Attach the rules

☐ No

Current Rules with Rule to be changed highlighted in yellow - See attached Annexure B

1.3 Was the alteration made in accordance with the rules of the organisation?

You must attach a declaration that (RO Regulations, reg. 121 (2)(c)):

- specifies if the alteration was made in accordance with the organisation's rules;
- states what action was taken under those rules to make the alteration; and
- verifies the facts stated in the application.

☒ Yes – Attach the declaration.

☐ No

Committee of Management was provided with a copy of the proposed Rule change on 10 September 2026.

The Committee of Management voted unanimously in favour of the proposed Rule change at a Committee Meeting held 14 October 2026.

Copy of the minutes are attached – see Annexure C.

Attach additional pages if necessary.

1.4 Is there another organisation to which members could more conveniently belong, and be more effectively represented by?

If there is any such organisation, please specify if the organisation is prepared to provide the Commission with an undertaking to avoid demarcation disputes potentially arising from an overlap between the eligibility rules of the applicant and another organisation (see RO Act, s.158(4) and (5).

Note: The Commission may refuse to consent to the alteration if it would give rise to a serious risk of a demarcation dispute which would prevent, obstruct or restrict the performance of work in an industry, or harm the business of an employer.

Using numbered paragraphs, set out your response.

1. REEF confirms that, in its view, there is no other organisation to which a potential member covered by the proposed amended Rule 5 could more conveniently belong or by which that potential member could be more effectively represented.

2. The proposed amended Rule 5 continues to apply to employers in the real estate, property management, strata management, stock and station, business broking, valuation, auctioneering and related industries and businesses. REEF is the organisation specifically established to represent the industrial interests of employers in those industries and businesses.

3. For that reason, REEF does not consider that the proposed alteration creates any serious risk of demarcation dispute or gives rise to any circumstances in which the relevant employers could more conveniently belong to, or be more effectively represented by, another registered organisation.

Attach additional pages if necessary.

1.5 Please confirm that the proposed alteration to the eligibility rules does not contravene an agreement or understanding (dealing with the organisation's right to represent the industrial interests of a particular class or group of persons) to which the organisation is a party.

Using numbered paragraphs, set out your response.

1. REEF confirms that there is no agreement or understanding to which it is a party that deals with REEF's right to represent the industrial interests of a particular class or group of persons.

2. Accordingly, the proposed alteration to Rule 5 does not contravene any such agreement or understanding.

Attach additional pages if necessary.

1.6 Please confirm that the alteration to the eligibility rules of the organisation do not

change the effect of an order made by the Commission about the organisation's right to represent the industrial interests of a particular class or group of employees?

Using numbered paragraphs, set out your response.

1. REEF confirms that there is no order made by the Commission about REEF's right to represent the industrial interests of a particular class or group of employees.

Attach additional pages if necessary.

1.7 Have arrangements been made to publish a notice of this application on the organisation's website?

The organisation must publish on its website, if it has one, a notice that it has lodged with the Commission the application for consent to change its eligibility rules (RO Regulations, reg. 121(4)).

☒ Yes

☐ No

The application has been published on the landing page of the organisation's website on 19 October 2026 under the section named 'Latest Insights'. The organisation's website can be found at www.reef.org.au

Attach additional pages if necessary.

Authority to sign and signature

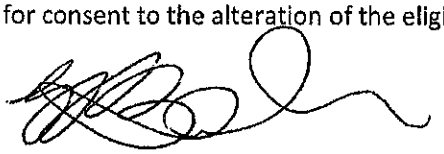
If you are completing this form electronically and do not have an electronic signature, type your name in the signature field.

The application must be under the common seal of the organisation or signed by a person authorised to sign it (see RO Regulations, reg. 13).

For 'Authority to sign':

- If you are signing for the organisation, insert your office or explain your authority to sign
- If you are the organisation's representative and have provided your details in this form, insert 'Representative'.

Signature ~~or common seal~~



Name Linda Baker

Date 26 October 2026

Authority to sign President

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS