



**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, Christian Payne of Shop C, 84-86 Cronulla St, CRONULLA, NSW 2230, am the President of the Real Estate Employers' Federation (REEF) 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 alteration are attached to this declaration and labelled 'Schedule A'.
3. The actions taken under the rules to make this alteration were as follows:
  - (a) On 24 July 2023, a **Notice of Motion** to amend the Rules of REEF was forwarded by REEF's CEO, Bryan Wilcox, to all members of REEF's Committee of Management. A copy of the Notice of Motion is attached and marked 'Schedule B'.
  - (b) In accordance with Rules 44 and 44(1), the Notice of Motion to amend the Rules was put to REEF's Committee of Management at its meeting on 30 August 2023, being at least one month following notification of the proposal to amend the Rules.
  - (c) There were 7 members in attendance at the Committee of Management meeting on 30 August 2023. As such the meeting was quorate.
  - (d) The Notice of Motion was moved by Tony Abboud and seconded by Steve Martin.
  - (e) The motion to alter REEF's Rules was supported unanimously.
  - (f) On 7 September 2023 a notice advising REEF's members about this rule change application was placed on REEF's website.
4. I declare that the particulars set out in this notice are true and correct to the best of my knowledge and belief.

7 september 2023

Dated:.....

*Christian Payne*

.....  
Christian Payne - President

## Schedule A

The Real Estate Employers' Federation (REEF) makes application to alter its Rules to include a new **Rule 35** headed: **Chief Executive Officer**. This new Rule will make it clear that the appointment, or re-appointment, of REEF's Chief Executive Officer (CEO) is the responsibility of the Committee of Management of REEF on the terms that it so determines.

It also confirms that the overall accountability of the CEO is to the President, or in his/her absence, the Vice President and clarifies that the Office Bearers have responsibility for the annual review of the CEO's performance. The new Rule also identifies the key responsibilities of the position of CEO.

REEF considers this Rule change is uncontroversial and establishes a best practice governance approach with respect to the appointment, or re-appointment, of the CEO by the full Committee of Management as well as the terms and conditions of employment associated with the position.

The alterations to the current Rules are set out below:

1. Alter the Contents page to include reference to a new **Rule 35: Chief Executive Officer**. All Rules from current Rule 35 to be re-numbered accordingly.
2. Insert a new Rule 35 as follows:

### ***"35 - CHIEF EXECUTIVE OFFICER***

***(1) A Chief Executive Officer may be appointed, or re-appointed, by the Committee on such terms as it thinks fit.***

***(2) The Chief Executive Officer will be responsible to the President, or in the President's absence the office bearer so acting, for the performance of his/her duties.***

***(3) The Executive (President, Vice-President & Treasurer) will be responsible for conducting an annual review of the Chief Executive Officer.***

***(4) The Chief Executive Officer will be the chief administrative and executive officer of the Federation and will be the public officer of the Federation for all such purposes as may be required and the officer nominated by the Federation to sue or be sued or to issue or accept legal process on behalf of the Federation.***

***(5) Subject to these Rules and to the directions of the President from time to time, the Chief Executive Officer will:***

- (a) Convene meetings of the Federation;*
  - (b) Attend general meetings of the Federation and the Committee;*
  - (c) Keep or cause to be kept minutes of all general meetings of the Federation and of all meetings of the Committee;*
  - (d) Collect all subscriptions, levies and other monies payable to the Federation or otherwise and promptly pay the same to the credit of the Federation's bank account;*
  - (e) Keep and maintain all books of account required by law and keep all books, documents records and papers of the Federation;*
  - (f) Prepare all notices and returns required to be given by or on behalf of the Federation;*
  - (g) Engage, suspend, dismiss and have full charge and management of the Federation's employees and will have authority to delegate The Chief Executive Officer's powers and duties to such employees;*
  - (h) Bring or defend or cause to be brought or defended any action, prosecution or complaint on or before any Court, Commissioner, Committee, Inquiry, Board, Tribunal or authority established under the Act or any law of Australia or the State;*
  - (i) Conduct all correspondence on behalf of the Federation; and*
  - (j) Carry out such other duties as may be required by these Rules or by the President from time to time.*
- (6) For the sake of clarification, the Chief Executive Officer is an employee of the Federation and not a member of the Committee."*

3. In current Rule 41(1), change the reference to Rule 36(2) to read "**Rule 37(2)**".

4. In current Rule 41(4), change the reference to Rule 39 to read "**Rule 40**".