



DECISION

Fair Work (Registered Organisations) Act 2009
s.30(1)(a) RO Act—Cancellation of registration

Real Estate Employers' Federation of South Australia and the Northern Territory (D2021/5)

DEPUTY PRESIDENT COLMAN

MELBOURNE, 26 AUGUST 2021

Application by organisation for cancellation of registration – registration cancelled.

[1] The Real Estate Employers' Federation of South Australia and the Northern Territory (REEFSANT) has made an application pursuant to s 30(1)(a) of the *Fair Work (Registered Organisations) Act 2009* (RO Act) to cancel its registration.

[2] The REEFSANT's reasons for seeking to terminate its registration are set out in its application and are as follows. First, the real estate industry has become regulated by a national award and by legislation. Secondly, the structure of the real estate industry has become more national, particularly because of the prevalence of large franchises. Thirdly, the Real Estate Employers' Federation (REEF) has become a national body for real estate employers and since September 2020 has been able to enrol as members real estate employers in South Australia and the Northern Territory (see *Real Estate Employers' Federation* [2020] FWC 4625, 1 September 2020). REEFSANT considers that real estate employers in South Australia and the Northern Territory can conveniently belong to REEF and be provided with effective representation and services, and that therefore there is no need for a separately registered organisation for real estate employers in South Australia and the Northern Territory.

[3] At a general meeting of members held on 22 April 2021, a resolution to cancel the registration of the organisation was unanimously approved by all persons who attended and voted at the general meeting.

[4] Notice of the Commission's receipt of the application to cancel REEFSANT's registration was published in the Commonwealth of Australia Gazette on 25 June 2021. The 35-day period within which interested persons could lodge notices of objection to the application ended on 30 July 2021. No notices of objections were received.

[5] On 26 August 2021, I conducted a hearing in relation to the application, as required by the *Fair Work (Registered Organisations) Regulations 2009* (Regulations). In support of the application, REEFSANT relied on the declaration of Ms Sam Forde, the president of the organisation, and on the information in the application.

[6] It is apparent from the information contained in the application, together with the documents attached to it, that approval for the cancellation of REEFSANT's registration was obtained from the organisation's members at a general meeting, and that the rules that apply to such meetings are applicable for the purposes of Regulation 33(a).

[7] I am satisfied that the application for cancellation of registration was made in accordance with the RO Act and with Regulations 33 and 34.

[8] I consider it appropriate that the registration of REEFSANT be cancelled under s 30(1)(a) of the RO Act. The cancellation will have effect from 2 September 2021. An order is issued separately in PR733042.



DEPUTY PRESIDENT

Appearances:

T McDonald for REEFSANT

Hearing details:

2021

Melbourne, by telephone to Adelaide

26 August 2021

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