

Vice President Hatcher

Fair Work Commission

c/- email address

22nd November 2018

**Re Submission to Full Bench of FWC - 4 Yearly Review of Real Estate Award 2010, Re
Clause 16.3 (a) (iii) – AM2016/6**

Dear Vice President

Pursuant to the orders of the Full Bench in the above mentioned matter on the 12th November 2018, I set out below the proposed amendment to clause 16.3 (a) (iii) of the award.

1. Delete the existing clause 16.3 (a) (iii) and insert in lieu the following;

“The employee has been engaged in property sales or commercial, industrial or retail leasing as a Real Estate Employee level 2 or higher with any licensed Real Estate Agent, or has operated his or her own real estate business, for at least 12 consecutive months in the 3 years immediately prior to entering into a commission – only agreement”.

2. Renumber existing subclause 16.3 (b) to 16.3 (c)

3. Insert a new subclause 16.3 (b) to read as follows;

“For the purpose of this clause 16.3, the words, “real estate business” must have been one which was involved in the sale of real property or businesses”.

RRESSA has sought these amendments in line with its submission to the Full Bench by email dated 30th July 2018 and modified the amendments, after taking into account views expressed by members of the Full Bench and those discussed separately with other stakeholders, such as REEF, REEFSA/NT and APSA. In the case of the stakeholders named, I understand that the above amendments to clause 16.3 (a) (iii), (Clause 9.7 (i) 3rd dot point in the Exposure Draft Real Estate Award 2015) has their support.

Regards

Ralph Clarke

Agent for RRESSA

Postal Address c/- R Clarke GPO Box 1005 Adelaide 5001