



21 March 2016

Mr Greg Paterson
Executive Director
The Real Estate Employers' Federation

By email: greg@reef.org.au

Dear Mr Paterson,

4 yearly review of the Real Estate Industry Award 2010

Thank you for your correspondence of 8 February 2016 concerning the Review of the *Real Estate Industry Award 2010* (Real Estate Award). The Commission acknowledges your preference for the Notation in clause 9.6(a) of the exposure draft to be dealt with in the award stage of the Review.

At the commencement of the Review, modern awards were divided into 4 groups. It was decided that the Review would consist of an initial stage, to consider the legislative framework under which the review would be undertaken, followed by an award stage which was to review all modern awards in four groups. The Commission is now in the process of completing the award stage of the Review.

At the beginning of the Review of each of the four groups of modern awards, a Core Award Stage Full Bench is constituted to deal with the technical and drafting issues relating to each of the awards. The technical and drafting issues in the Real Estate Award are being dealt with in AM2014/242. In cases where parties have made proposals to vary an award that are of a substantive nature, going beyond the scope of a technical/drafting issue, the Commission has referred those matters to separately constituted substantive issues Full Benches. A number of substantive issues were raised in relation to the Real Estate Award and will be dealt with by a separately constituted Full Bench in AM2016/6. The Notation in clause 9.6(a) in light of *Canavan* will also be referred to that Full Bench in AM2016/6. Once the Full Bench is constituted, it will issue its own directions outlining submission deadlines and any hearing dates.

I hope this provides some clarification concerning the Notation and how the Commission intends to deal with this proposal.

Yours faithfully

Justice Iain Ross AO
President