



30 September 2014

Mr Steven Frost  
Branch Secretary  
Australian Trainers' Association  
[ata@austrainers.com.au](mailto:ata@austrainers.com.au)

Dear Mr Frost

**Section 271 application for certificate of exemption from the requirements of Part 3 of Chapter 8 of the Fair Work (Registered Organisations) Act 2009 (the Act) (FR2014/138)**

I refer to the application lodged pursuant to section 271(1) of the Act by the South Australian Branch of the Australian Trainers' Association (the reporting unit) for the financial year ended 30 June 2014. The application was lodged with the Fair Work Commission on 19 September 2014.

The application has been granted. The certificate is attached.

If you wish to discuss this matter, please contact Nick Salzberg on (03) 8661 7812 or by email at [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).

Yours sincerely

A handwritten signature in blue ink, appearing to be 'CE', is located below the 'Yours sincerely' text. The signature is stylized and somewhat abstract.

Chris Enright  
Delegate of the General Manager





# CERTIFICATE

*Fair Work (Registered Organisations) Act 2009*

s.271—Certificate of exemption from requirements of Chapter 8, Part 3

**Australian Trainers' Association**  
(FR2014/138)

MR ENRIGHT

MELBOURNE, 30 SEPTEMBER 2014

*Certificate of exemption from the requirements of Part 3 of Chapter 8 of the Fair Work (Registered Organisations) Act 2009*

[1] On 19 September 2014 an application was made under s.271(1) of the *Fair Work (Registered Organisations) Act 2009* by the South Australian Branch of the Australian Trainers' Association for a certificate of exemption in respect of the financial year ended 30 June 2014.

[2] I am satisfied that the reporting unit did not have any financial affairs in respect of the financial year ended 30 June 2014.



DELEGATE OF THE GENERAL MANAGER

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**From:** David Gauci [mailto:david@austrainers.com.au]  
**Sent:** Friday, 19 September 2014 1:26 PM  
**To:** Orgs  
**Cc:** John Alducci; 'John Phillips'  
**Subject:** FR2014/138 Exemption Request s271(1) of the Fair Work (Registered Organisations) Act 2009

To the General Manager,

RE: Reporting Unit - Australian Trainers' Association (South Australia Branch) for year ended 30 June 2014.

I kindly refer to the attached application for exemption pursuant to s271(1) of the Fair Work (Registered Organisations) Act 2009.

I would be pleased to assist with any related enquiries if required following your consideration.

Yours sincerely,

**David Gauci**  
**Deputy Chief Executive**

Australian Trainers' Association  
(ABN 86 182 142 206)  
Level 1 - 400 Epsom Road Flemington Victoria 3031

Phone: (03) 9372 1688 Fax: (03) 9372 1699  
E-mail: [david@austrainers.com.au](mailto:david@austrainers.com.au) Website: [www.austrainers.com.au](http://www.austrainers.com.au)



<http://www.twitter.com/racingsupplies>

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\* \* \* \* \*



8 September 2014

**SOUTH AUSTRALIAN BRANCH**

**General Manager**

Fair Work Commission  
GPO Box 1994  
MELBOURNE VIC 3001

**President: Richard Jolly**

11 Wallace Street  
GLENELG EAST SA 5045

Phone: 0417 863 405

Facsimile: (08) 8294 1682

Email: [atasa@austrainers.com.au](mailto:atasa@austrainers.com.au)

Website: [www.austrainers.com.au](http://www.austrainers.com.au)

Dear Sir/Madam,

**RE: AUSTRALIAN TRAINERS' ASSOCIATION - SOUTH AUSTRALIA BRANCH**

We make the following representations with respect to the application for exemption pursuant to s271(1) of the *Fair Work (Registered Organisations) Act 2009* for the above-mentioned branch for the financial year ended 30 June 2014.

The branch did not hold an interest in any real property or personal property for the financial year ended 30 June 2014.

The branch did not have any financial affairs in the financial year.

The branch does not act as trustee in any form.

The branch does not have any funds under rule 41 of the Association's Constitution.

The members of the branch pay levies under the rules of the organisation to the central body Australian Trainers' Association – Federal Branch (ATA Federal).

The branch has elected to allow ATA Federal to retain the total of subscription fees collected by the Federal Office. Therefore, the Federal Office retains the total of fees received for the branch, due to the branch not operating a bank account and relies on the Federal Office to complete administrative and/or secretarial duties.

The branch has not secured any funds to discharge its obligations.

The branch did not produce financial accounts for the last financial year.

It can be concluded that ATA Federal has effective control over the funds of the branch with respect to the management of funds.

Signed by and on behalf of the ATA – South Australian Branch Committee:

**RICHARD JOLLY, President**





31 July 2014

Mr Steven Frost  
Branch Secretary  
Australian Trainers' Association-South Australian Branch  
Sent by email: [ata@austrainers.com.au](mailto:ata@austrainers.com.au)

Dear Mr Frost,

**Re: Lodgement of Financial Report - [FR2014/138]  
Fair Work (Registered Organisations) Act 2009 (the RO Act)**

The financial year of the South Australian Branch of the Australian Trainers' Association (the reporting unit) ended on 30 June 2014.

This is a courtesy letter to remind you of the obligation to prepare and lodge the financial report for the reporting unit by the due date, namely 15 January 2015 (being the expiry date of 6 months and 14 days from the end of the financial year), under s.268 of the RO Act.

The RO Act sets out a particular chronological order in which financial documents and statements must be prepared, audited, provided to members and presented to a meeting. For your assistance, the attached *Timeline/Planner* summarises these requirements.

Fact sheets and guidance notes in relation to financial reporting under the RO Act are provided on the Fair Work Commission website. Further, the General Manager's updated Reporting Guidelines, that apply to all financial reports prepared on or after 30 June 2014, are also available on the website. For your convenience, our webinar video and slides on the Reporting Guidelines have also been placed on the website.

The Fair Work Commission has also developed a model set of financial statements. There is no requirement to use this model but it may be a useful resource to ensure compliance with the RO Act, the Reporting Guidelines and the Australian Accounting Standards. All of the above information can be accessed through our website under [Financial Reporting](#).

The financial report and any statement of loans, grants or donations made during the financial year (statement must be lodged within 90 days of end of financial year) can be emailed to [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au). A sample statement of loans, grants or donations is available at [sample documents](#).

**It should be noted that s.268 is a civil penalty provision.** Failure to lodge a financial report may result in legal proceedings being issued with the possibility of a pecuniary penalty (up to \$51,000 for a body corporate and \$10,200 for an individual per contravention) being imposed upon an officer whose conduct led to the contravention and/or your organisation.

Should you seek any clarification in relation to the above, please contact me on (03) 8661 7936 or via email at [robert.pfeiffer@fwc.gov.au](mailto:robert.pfeiffer@fwc.gov.au) .

Yours sincerely,

Robert Pfeiffer  
Senior Adviser  
Regulatory Compliance Branch

## TIMELINE/ PLANNER

Financial reporting period ending:	/ /	
Prepare financial statements and Operating Report.		
<p>(a) A Committee of Management Meeting must consider the financial statements, and if satisfied, pass a resolution declaring the various matters required to be included in the Committee of Management Statement.</p> <p>(b) A # designated officer must sign the Statement which must then be forwarded to the auditor for consideration as part of the General Purpose Financial Report (GPFR).</p>	/ /	As soon as practicable after end of financial year
Auditor's Report prepared and signed and given to the Reporting Unit - s257	/ /	<p>Within a reasonable time of having received the GPFR</p> <p>(NB: Auditor's report must be dated on or after date of Committee of Management Statement</p>
<p>Provide full report free of charge to members – s265</p> <p>The full report includes:</p> <ul style="list-style-type: none"> <li>the General Purpose Financial Report (which includes the Committee of Management Statement);</li> <li>the Auditor's Report; and</li> <li>the Operating Report.</li> </ul>	/ /	<p>(a) if the report is to be presented to a General Meeting (which must be held within 6 months after the end of the financial year), the report must be provided to members 21 days before the General Meeting,</p> <p>or</p> <p>(b) in any other case including where the report is presented to a Committee of Management meeting*, the report must be provided to members within 5 months of end of financial year.</p>
Present full report to:		
(a) General Meeting of Members - s266 (1),(2); OR	/ /	Within 6 months of end of financial year
(b) where the rules of organisation or branch allow* - a Committee of Management meeting - s266 (3)	/ /	Within 6 months of end of financial year
Lodge full report with the Fair Work Commission, together with the #Designated Officer's certificate++ – s268	/ /	Within 14 days of meeting

\* the full report may only be presented to a committee of management meeting if the rules of the reporting unit provide that a percentage of members (not exceeding 5%) are able to call a general meeting to consider the full report.

# The Committee of Management Statement and the Designated Officer's certificate must be signed by the Secretary or another officer who is an elected official and who is authorised under the rules (or by resolution of the organisation) to sign the statement or certificate – s243.

++ The Designated Officer's certificate must state that the documents lodged are copies of the documents provided to members and presented to a meeting in accordance with s266 – dates of such events must be included in the certificate. The certificate cannot be signed by a non-elected official.