

**VALE, David**

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**From:** ROC - Registered Org Commission  
**Sent:** Tuesday, 22 August 2017 1:28 PM  
**To:** 'David Gauci'  
**Cc:** 'johnp@cwstirling.com.au'; Andrew Nicholl; John Alducci  
**Subject:** FR2017/184 ATA VIC - Applications for exemption pursuant to s271(1) of the Fair Work (Registered Organisations) Act 2009 [SEC=UNCLASSIFIED]  
**Attachments:** ATA\_VIC Branch\_FR2017\_184\_Certificate\_SIGNED\_22082017 .pdf

**UNCLASSIFIED**

Dear Mr Gauci

Please find attached a letter and certificate advising that the abovementioned request for a s.271 certificate to the Victorian Branch of the Australian Trainers' Association has been granted.

Regards

**DAVID VALE**

Principal Adviser

Financial Reporting

**Registered Organisations Commission**

Tel: (02) 8293 4654

[david.vale@roc.gov.au](mailto:david.vale@roc.gov.au)

GPO Box 2983, MELBOURNE VIC 3001 | Street address: Level 13, 175 Liverpool Street Sydney NSW 2000

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**Australian Government**

**Registered Organisations Commission**

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**From:** David Gauci [<mailto:david@austrainers.com.au>]

**Sent:** Monday, 14 August 2017 1:24 PM

**To:** ROC - Registered Org Commission

**Cc:** 'johnp@cwstirling.com.au'; Andrew Nicholl; John Alducci

**Subject:** FR2017/184 ATA VIC - Applications for exemption pursuant to s271(1) of the Fair Work (Registered Organisations) Act 2009



**Australian Government**  
**Registered Organisations Commission**

22 August 2017

Mr Robbie Griffiths  
President  
Victorian Branch  
Australian Trainers' Association  
[ata@austrainers.com.au](mailto:ata@austrainers.com.au)

Dear Mr Griffiths

**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) (FR2017/184)**

I refer to the application lodged pursuant to section 271(1) of the Act by the Victorian Branch of the Australian Trainers' Association (the reporting unit) for the financial year ended 30 June 2017. The application was lodged with the Registered Organisations Commission on 14 August 2017.

The application has been granted. The certificate is attached.

If you wish to discuss this matter, please contact David Vale on (02) 8293 4654 or by email at [david.vale@roc.gov.au](mailto:david.vale@roc.gov.au).

Yours faithfully

A handwritten signature in black ink, appearing to be 'CE', with a large loop on the left side and a vertical line on the right.

Chris Enright  
Executive Director  
REGISTERED ORGANISATIONS COMMISSION



# CERTIFICATE

*Fair Work (Registered Organisations) Act 2009*  
s.271—Certificate of exemption from requirements of Chapter 8, Part 3

**Australian Trainers' Association-Victorian Branch**  
(FR2017/184)

MR ENRIGHT

MELBOURNE, 22 AUGUST 2017

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

[1] On 14 August 2017 an application was made under s.271(1) of the *Fair Work (Registered Organisations) Act 2009* by the Victorian Branch of the Australian Trainers' Association for a certificate of exemption in respect of the financial year ended 30 June 2017.

[2] I am satisfied that the reporting unit did not have any financial affairs in respect of the financial year ended 30 June 2017.



DELEGATE OF THE COMMISSIONER

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**VALE, David**

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**From:** David Gauci <david@austrainers.com.au>  
**Sent:** Monday, 14 August 2017 1:24 PM  
**To:** ROC - Registered Org Commission  
**Cc:** 'johnp@cwstirling.com.au'; Andrew Nicholl; John Alducci  
**Subject:** ATA Tas SA QLD VIC Applications for exemption pursuant to s271(1) of the Fair Work (Registered Organisations) Act 2009  
**Attachments:** ROC Exemption s271(1) TAS Branch.pdf; ROC Exemption s271(1) SA Branch.pdf; ROC Exemption s271(1) QLD Branch.pdf; ROC Exemption s271(1) VIC Branch.pdf

To: The General Manager  
Registered Organisations Commission

Please find the attached applications for exemption pursuant to s271(1) of the Fair Work (Registered Organisations) Act 2009 in relation to reporting units of this organisation.

Yours Sincerely,

**David Gauci**  
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)

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14 August 2017

**VICTORIAN BRANCH**

**General Manager**

Registered Organisations Commission  
GPO Box 2983  
MELBOURNE VIC 3001

**President: Robbie Griffiths**  
**State Executive: Roger Joseph**

400 Epsom Road  
FLEMINGTON VIC 3031

Phone: (03) 9372 1688

Facsimile: (03) 9372 1699

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

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

Dear Sir/Madam,

**RE: AUSTRALIAN TRAINERS' ASSOCIATION - VICTORIAN 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 2017.

The branch did not hold an interest in any real property or personal property for the financial year ended 30 June 2017.

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 - Victorian Branch Committee:

A handwritten signature in black ink, appearing to read 'Robbie Griffiths', is written over a horizontal line.

**Robbie Griffiths, President**



**Australian Government**  
**Registered Organisations Commission**

9 August 2017

Mr Robbie Griffiths  
Branch President  
Victorian Branch  
Australian Trainers' Association  
By Email: c/o [john@austrainers.com.au](mailto:john@austrainers.com.au)

Dear Mr Griffiths,

**Re: Lodgement of Financial Report - [FR2017/184]  
*Fair Work (Registered Organisations) Act 2009 (the RO Act)***

The financial year of the Australian Trainers' Association-Victorian Branch (the reporting unit) ended on 30 June 2017. This is a courtesy letter to remind you of the reporting unit's obligations regarding financial reporting.

### **Loans Grants and Donations Statement**

The reporting unit is required to lodge a statement showing the relevant particulars in relation to each loan, grant or donation of an amount exceeding \$1,000 for the reporting unit during its financial year. Section 237 of the RO act requires this statement to be lodged with Registered Organisations Commission (the ROC) within 90 days of the end of the reporting unit's financial year, that is on or before 28 September 2017.

The attached fact sheet *Loans Grants and Donations (FS 009)* summarises the requirements of the Loans Grants and Donations Statement. A sample statement of loans, grants or donations is available on our [website](#).

It should be noted that s.237 is a civil penalty provision. If a loan, grant or donation over \$1000 has been made, failure to lodge a statement of loans, grants and donations (including failure to lodge on time) may result in legal proceedings being issued with the possibility of a pecuniary penalty (up to \$105,000 for each contravention for a body corporate and up to \$21,000 for each contravention for an individual) being imposed upon your organisation and/or an officer whose conduct led to the contravention.

### **Financial report**

The RO Act sets out a particular chronological order in which your financial report must be prepared, audited, provided to members, presented to a meeting and then lodged with the ROC. The attached document *Summary of Financial Reporting timelines (FS 008)* summarises these requirements.

We emphasise that the reporting unit is required to present its audited financial report to a meeting (either of members or of the committee of management, depending on your rules) no later than 31 December 2017 (s.266). The full financial report must be lodged with the ROC within 14 days of that meeting (s.268).

When assessing your financial report, we will continue to focus closely on timelines as well as how loans, grants and donations are reported. The financial report must break down the amounts of grants and donations and these figures will be compared to the loans, grants and donations statement (see attached *Loans Grants and Donations* fact sheet FS 009).

You can visit our [website](#) for more information regarding [financial reporting](#), and fact sheets regarding [financial reporting processes and requirements](#). A model set of financial statements developed by the

ROC is also available on our website. It is not obligatory to use this model but it is a useful resource to ensure compliance with the RO Act, the Reporting Guidelines and the Australian Accounting Standards.

It should be noted that s.268 of the RO Act is a civil penalty provision. Failure to lodge the full financial report (including failure to lodge on time) may result in legal proceedings being issued with the possibility of a pecuniary penalty (up to \$105,000 for each contravention for a body corporate and up to \$21,000 for each contravention for an individual) being imposed upon your organisation and/or an officer whose conduct led to the contravention (s.268).

#### **Auditor's report**

When assessing the financial report we will also focus on the structure and content of the auditor's report to ensure that it complies with the revisions made to the Auditing Standards which came into effect from 15 December 2016. Please find below a guidance note *Illustrative Auditor's Report* (GN 004) relating to these requirements (which can also be located on our website).

## **REMINDER**

### **YOUR AUDITOR MUST BE REGISTERED (s.256)**

You must ensure that your auditor is registered by the Registered Organisations Commissioner. A list of registered auditors is available on our [website](#).

#### **Contact**

Should you require any clarification in relation to the above, please email [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).

Yours faithfully,

**Carolyn Moloney**  
**Registered Organisations Commission**