



27 October 2023

Richard Jolly
Branch Secretary
Australian Trainers' Association-South Australian Branch
Sent via email: ata@austrainers.com.au

Dear Richard Jolly

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) (FR2023/63)

I refer to the application lodged pursuant to section 271(1) of the Act by the Australian Trainers' Association-South Australian Branch (the reporting unit) for the financial year ended 30 June 2023. The application was lodged with the Fair Work Commission on 9 October 2023.

Section 271(3) of the Act states that the application lodged pursuant to section 271(1) must be made to the General Manager within 90 days, or such longer period as the General Manager allows, after the end of the financial year (i.e. 28 September 2023). On 24 July 2023, the Commission sent the reporting unit correspondence reminding it of its obligations in relations to financial reporting and information regarding reduced financial reporting requirements under section 271.

On 9 October 2023, the Australian Trainers' Association's Chief Executive Officer, Andrew Nicholl advised the Commission that due to absences and changes in the organisation's key personnel who oversaw this process, the lodgment of section 271 application had been overlooked. As abovementioned, the section 271 application was not lodged until 9 October 2023.

Please note that in future financial years if the reporting unit cannot lodge an application within the 90 day period prescribed, a written request for an extension of time, signed by a relevant officer, including any reason for the delay, must be made prior to the expiry of the 90 day period.

Having considered your reasons and the information provided in the application, I approve the application. The certificate is attached.

If you have any queries regarding this letter, please call 1300 341 665 or email regorgs@fwc.gov.au.

Yours sincerely

Chris Enright
Executive Director
Fair Work Commission



Fair Work
Commission

CERTIFICATE

Fair Work (Registered Organisations) Act 2009

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

Australian Trainers' Association-South Australian Branch

FR2023/63

MR ENRIGHT

MELBOURNE, 27 OCTOBER 2023

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

[1] On 9 October 2023 an application was made under section 271(1) of the *Fair Work (Registered Organisations) Act 2009* by the Australian Trainers' Association-South Australian Branch for a certificate of exemption in respect of the financial year ended 30 June 2023.

[2] I am satisfied that the reporting unit did not have any financial affairs in respect of the financial year ended 30 June 2023.



DELEGATE OF THE GENERAL MANAGER

Printed by authority of the Commonwealth Government Printer



9 October 2023

SOUTH AUSTRALIAN BRANCH

The Commissioner

Registered Organisations Commission
GPO Box 2983
MELBOURNE VIC 3001

Via email: regorgs@fwc.gov.au

Secretary: Richard Jolly

11 Wallace Street
GLENELG EAST SA 5045

Phone: 0417 863 405

Facsimile: (08) 8294 1682

Email: ata@austrainers.com.au

Website: 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 2023.

The branch did not hold an interest in any real property or personal property for the financial year ended 30 June 2023.

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 42 of the Association's Constitution.

The members of the branch pay Subscriptions 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
Secretary