



Fair Work
Commission

12 August 2024

Wade Burns
Branch President
Police Federation of Australia-South Australia Police Branch
Sent via email: pasa@pasa.asn.au

Dear Wade Burns,

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) (FR2024/120)

I refer to the application lodged pursuant to section 271(1) of the Act by the Police Federation of Australia-South Australia Police Branch (the reporting unit) for the financial year ended 30 June 2024. The application was lodged with the Fair Work Commission on 1 August 2024.

The application has been granted. 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



CERTIFICATE

Fair Work (Registered Organisations) Act 2009

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

Police Federation of Australia-South Australia Police Branch

FR2024/120

MR ENRIGHT

MELBOURNE, 12 AUGUST 2024

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

[1] On 1 August 2024 an application was made under section 271(1) of the *Fair Work (Registered Organisations) Act 2009* by the Police Federation of Australia-South Australia Police Branch for a certificate of exemption in respect of the financial year ended 30 June 2024.

[2] I am satisfied that the reporting unit did not have any financial affairs in respect of the financial year ended 30 June 2024.



DELEGATE OF THE GENERAL MANAGER

Printed by authority of the Commonwealth Government Printer



Police Federation of Australia

The National Voice of Policing

ABN 31 384 184 778

Level 1, 21 Murray Crescent
GRIFFITH ACT 2603

Tel: (02) 6239 8900
Fax: (02) 6239 8999

Ref: WB:sh:1830/24

30 July 2024

General Manager
Fair Work Commission

Via email: regorgs@fwc.gov.au

Dear General Manager,

**Re: Lodgment of Financial Report for Year Ended 30 June 2023
S.271 Fair Work (Registered Organisations) Act 2009 (the RO Act)
Request for Certificate of Exemption from Reporting Obligations**

I, Wade Burns, President of the Police Federation of Australia – South Australia Police Branch, an authorised officer under the Rules to act on behalf of the Branch and in consideration of s.271 of the *Fair Work Act* ("the Act") hereby apply for a Certificate to exempt the Branch from the requirements of the Act relating to financial matters occurring in the year ended 30 June 2024.

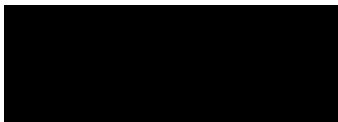
I make the following statements in support of the request for the Certificate of Exemption:

1. The Branch does not expend economic resources or incur any financial obligations to conduct its activities and does not carry out any trade or engage in any financial transactions of any kind.
2. The Branch does not have an account with a bank or any other financial institution nor does it have custody of any real property, moneys, or other assets.
3. The Branch accordingly has no reason to keep accounting records.
4. The reason that the Branch does not trade or engage in financial transactions is because of the relationship between the Branch and another body corporate known as the Police Association of South Australia (the "Associated Body"), referred to in Rules 6 and 6A of the membership application form at Annexure "A" of the Rules of the Police Federation of Australia ("the Rules").
5. The Associated Body was incorporated on 9 July 1926.

6. The Associated Body is registered with the Industrial Relations Commission of South Australia, registration date 9 July 1926.
7. The Branch was not formed until 31 December 1997 when the Police Federation of Australia was registered as an organisation.
8. The Associated Body expends economic resources and incurs financial obligations, including the collection of membership fees, the payment of accounts for expenses incurred in carrying out regular business (such as the production of a journal, for example), operates a bank account, has leased and/or owned property and office machinery and employs and pays wages of employees.
9. The Membership of the Branch and the Associated Body are identical and indistinguishable. No member of the Branch is ineligible for membership of the Associated Body. No prospective member has applied to be a member of the Branch and not also a member of the Associated Body.
10. The only financial concern of the Branch relates to the payment of capitation fees by the Branch to the Federal Fund pursuant to Rule 7 of the Rules but this is paid by the Associated Body in accordance with Rule 7A of the Rules.
11. The Branch in all other aspects carries out its functions as set out in the Objects of the Federation (Rule 4). In particular, the Officers of the Associated Body are the officers elected by the Branch in accordance with the Branch Rules and the Federal Rules. The Branch Executive meets at least 12 times per annum and regulates the affairs of the Branch in a thorough and consistent manner.
12. The Associated Body's financial reports are made available to members both in hard copy (on request) and online via the Association's website. Hard copies are also provided to delegates at the annual conference of delegates held in October of each year.
13. The Associated Body financially reports as per the requirements of the Associations Incorporations Act (South Australia) – as per in the Annual Report.

Please do not hesitate to contact me should you have any queries in relation to this application.

Yours sincerely



**WADE BURNS
PRESIDENT**



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Application Form AF 005 | 6 March 2023



Application for exemption from financial reporting obligations under Part 3 of Chapter 8

Section 271 of the *Fair Work (Registered Organisations) Act 2009*
(RO Act)

Purpose of this form

This form is for use by reporting units seeking a certificate from the General Manager of the Fair Work Commission (the General Manager) exempting them from the financial reporting requirements under Part 3 of Chapter 8 of the RO Act. Part 3 of Chapter 8 sets out the requirements in relation to financial records, accounting, and auditing.

Your answers to the following questions will help the General Manager to make an informed decision on whether the reporting unit satisfies the requirements for an exemption based on the reporting unit not having any financial affairs in a financial year.

Eligibility

This form is to be completed by a reporting unit that:

- did not have any financial affairs in a financial year, and
- is making the application within 90 days after the end of that financial year.



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Before granting an exemption, the General Manager must be satisfied that the reporting unit did not have any financial affairs in a financial year. An exemption only applies to a financial year and if applicable, a new application must be made for any subsequent years.

Instructions for completing this form

Please read each part of the application carefully, fully answer all the questions, ensure a designated officer¹ signature is included where indicated and attach the required documentation.

You must complete and submit:

- Part A: Reporting unit details
- Part B: Prescribed circumstances
- Part C: Declaration and signature

Help filling in this form

The fact sheet Exemption from financial reporting obligations under Part 3 of Chapter 8 has been designed to help a reporting unit interpret the eligibility criteria set out in the RO Act. Please note that the fact sheet does not constitute legal advice. Reporting units are encouraged to seek independent advice on how the relevant legislation applies to their particular circumstances.

The terms used in this application form are further defined in the RO Act and the Regulations. The legislation can be found at www.legislation.gov.au.

If you require assistance or have any questions regarding this application process, please contact the Fair Work Commission general enquiries line on **1300 341 665** or email regorgs@fwc.gov.au.

¹ S.243 of the RO Act



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Part A: Reporting unit details

1. Details of the reporting unit making the application

Reporting unit	SOUTH AUSTRALIA POLICE BRANCH OF THE POLICE FEDERATION OF AUSTRALIA.	
Financial year ending	30 JUNE 2024.	
Name of authorised person signing on behalf of the reporting unit	WADE BURNS	
Position of authorised person	PRESIDENT	
Contact person	AS ABOVE.	
Contact details	wadeburnse@psa.asn.au Email	Telephone (08) 8212 3055

Part B: Prescribed circumstances

Whether the reporting unit expends economic resources or incurs any financial obligations to conduct its activities

2. During the financial year, did the reporting unit or an officer of the reporting unit (on behalf of the reporting unit):

Expend funds allocated to the reporting unit?	Yes/No <input checked="" type="radio"/> No
Receive any revenue?	Yes/No <input checked="" type="radio"/> No
Incur liabilities?	Yes/No <input checked="" type="radio"/> No
Conduct transactions?	Yes/No <input checked="" type="radio"/> No
Employ staff directly?	Yes/No <input checked="" type="radio"/> No

3. Does the reporting unit:

Maintain a bank account?	Yes/No <input checked="" type="radio"/> No
Hold money in cash?	Yes/No <input checked="" type="radio"/> No



4. Has an officer of the reporting unit:

Been issued with a corporate credit card?	Yes <input type="radio"/> No <input checked="" type="radio"/>
If yes, has the corporate credit card been used during the financial year?	Yes/No

Whether another reporting unit of the organisation expends its own economic resources or incurs financial obligations so that the reporting unit may conduct its activities

5. During the financial year did another reporting unit receive money or incur financial obligations so that the reporting unit could conduct its activities?

No	<input checked="" type="checkbox"/>	
Yes	<input type="checkbox"/>	Complete the table below

Name of the reporting unit	
Details of the arrangement	
Do the rules of your organisation allow for this arrangement?*	

* If yes, please include the relevant rule number(s)

Whether any person, body corporate or trust expends its own economic resources or incurs financial obligations so that the reporting unit may conduct its activities

6. During the financial year did another person, body corporate or trust receive money or incur financial obligations so that the reporting unit could conduct its activities?

No	<input checked="" type="checkbox"/>	
Yes	<input type="checkbox"/>	Complete the table below ▼

REFER TO ATTACHMENT A.

Name of the person, body corporate or trust	
Details of the arrangement	
Do the rules of your organisation allow for this arrangement?*	

*If yes, please include the relevant rule number(s)



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Part C: Declaration and signature

Under the Act, the General Manager can only grant an exemption when satisfied that the reporting unit did not have any financial affairs in a financial year.

Declaration

In submitting this application on behalf of the reporting unit mentioned in Part A, I declare:

- that I am a designated officer of the reporting unit as per s.243 of the RO Act
- the information that I have supplied in this application is complete and correct
- I am aware that giving false or misleading information is a serious offence. A person who:
 - knowingly or recklessly makes a false or misleading statement in an application for registration; or
 - knowingly gives false or misleading information in an application for registration
 - is guilty of an offence, the punishment for which is imprisonment for up to 12 months (if a statement is made or information is provided knowingly) or up to 6 months (if a statement is made recklessly) – see Part 7.4, section 136 and 137.1 of the *Criminal Code*.

Printed name of designated officer	WADE BURNS.
Signature	[REDACTED]
Signature date	30 JULY 2024.



Please lodge the completed form with the Fair Work Commission by email to regorgs@fwc.gov.au.