



Australian Government
Australian Industrial Registry

Level 5,
11 Exhibition Street, Melbourne, VIC 3000
GPO Box 1994, Melbourne, VIC 3001
Telephone: (03) 8661 7817
Fax: (03) 9655 0410

Mr Paul Watkinson
Branch Secretary
Association of Consulting Architects – Australia
Northern Territory Branch
PO Box 175
DARWIN NT 0801

Dear Mr Watkinson,

**Re: Application for certificate of exemption from requirements of
Chapter 8, Part 3, Schedule 1 of the Workplace Relations Act 1996**

(FR2005/251, FR2006/418 and FR2007/404)

I refer to your application of 25 February 2008 for a certificate of exemption under subsection 271(1) of Schedule 1 of the *Workplace Relations Act 1996* (the RAO Schedule), in respect of the Northern Territory Branch of the Association of Consulting Architects - Australia, for the financial years ended 30 June 2005, 2006 and 2007.

Subsection 271(1) of the RAO Schedule provides:

“ If, on the application of a reporting unit, a Registrar is satisfied, after considering such circumstances (if any) as are prescribed, that the reporting unit did not have any financial affairs in a financial year, the Registrar may issue to the reporting unit a certificate to that effect in respect of the financial year. ”

I note that in support of your application you state, among other things, that the Committee of Management considers the reporting obligations governed by the RAO requirements to be too onerous for the branch incurring extensive auditing fees. I need to point out that the lodgement of financial documents is a fundamental obligation imposed on an organisation in relation to each financial year, and applies to each branch of the organisation as if the branch itself were an organisation. The effect of the issue of a certificate under subsection 271(1) is to exempt the applicant reporting unit from obligations arising under Chapter 8, Part 3 of the RAO Schedule because it had no financial affairs in respect of the financial year, and not for the imposition it may cause a reporting unit.

While section 271 does not contained any express provisions for retrospective operation in relation to obligations of a reporting unit that had arisen in respect of previous financial years, I am prepared to consider exercise of the power provided under section 271 in relation to the earlier financial years noted in the application.

I have granted the application in relation to the financial years ended 30 June 2005, 30 June 2006 and 30 June 2007. My certificate is enclosed.

Although I have granted the application, I should point out that I am not obliged to do so. The reporting unit should ensure that any future applications are made to a Registrar within 90 days after the end of the financial year – see subsection 271(3) of the RAO Schedule.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'T. Nassios', written over a light blue grid background. The signature consists of a horizontal line at the top, a vertical line extending downwards from the center, and a horizontal line extending to the right from the middle of the vertical line.

T. Nassios
Deputy Industrial Registrar

6 March 2008



Workplace Relations Act 1996

s.271 certificate of exemption from requirements of Chapter 8, Part 3, Schedule 1

Association of Consulting Architects - Australia
(FR2005/251, FR2006/418 and FR2007/404)

CERTIFICATE

On 25 February 2008 application was made under subsection 271(1) of Schedule 1 of the *Workplace Relations Act 1996* for a certificate of exemption by the Northern Territory Branch of the Association of Consulting Architects - Australia, in respect of financial years ended 30 June 2005, 2006 and 2007. I am satisfied that the said Branch is a reporting unit that did not have any financial affairs in the years ended 30 June 2005, 2006 and 2007.



T. Nassios
DEPUTY INDUSTRIAL REGISTRAR

6 March 2008



Association of Consulting Architects

Australia

PO Box 175, Darwin NT 0801
Telephone 61 08 8981 9466
Facsimile 61 08 8981 2559

25 February 2008

Registrar
Australian Industrial Relations Commission
GPO Box 19945
MELBOURNE VIC 3011

Attention: Mr Robert Pfeiffer

Dear Sir

**WORKPLACE RELATIONS ACT
SECTION 271(1),**

My name is Paul Watkinson, the secretary of the Association of Consulting Architects Northern Territory Branch. I am acting on behalf of the Branch in this matter at the request of the Branch Committee of Management.

In consideration of Section 271(1) of the Act, on behalf of the Branch, I wish to apply for a Certificate to exempt the Branch from the requirements of the Act, relating to financial matters occurring in the years ending 30 June 2005, 30 June 2006 and 30 June 2007.

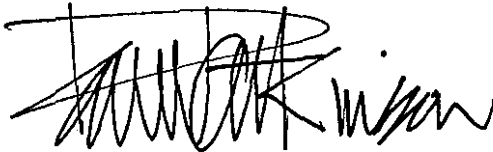
In support of the application:

1. The Branch is the state representative of the national body, the Association of Consulting Architects Australia.
2. The Branch consists of 7 members only for the financial year.
3. Membership fees as the only source of income consist of a National and a Chapter component.
4. The Branch has an account with the Westpac Bank, Darwin Branch – BSB No. 035-302, Account No. 10-0162. Financial transactions are primarily undertaken as collection of membership fees. These membership fees consist of a national component that is forwarded to the national body on receipt of their tax invoice for the same.

5. We consider the new reporting obligations governed by the requirements of the RAO schedule of the Workplace relations Act 1996 are too onerous for our Branch in that the additional administration costs and auditing fees will make the operation of our Branch financially unviable.
6. The Committee of Management consists of financial members elected by the Branch in accordance with the rules of the organization. The Committee meets regularly and regulates the affairs of the Branch in a thorough and consistent manner. Minutes of each meeting are kept as records and are available on request.
7. For completeness and in pursuance to regulation 165, while the Branch expends economic resources it does not rely on another reporting unit of the organization to expend its own economic resources or incur financial obligations so that the Branch may conduct its activities, and it does not rely on any person or body corporate or trust to expend its own economic resources or incur financial obligations so that the Branch may conduct its activities.

Please advise if further information is required to enable you to make a decision.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Paul Watkinson', written over a horizontal line.

Paul Watkinson
Branch Secretary
Association of Consulting Architects Australia (NT Branch).