



**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 Graham Hardy  
Secretary  
Association of Consulting Architects – Australia  
South Australia Branch  
100 Flinders Street  
ADELAIDE SA 5000

Dear Mr Hardy,

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

**(FR2005/253, FR2006/420 and FR2007/406)**

I refer to your application of 4 December 2007 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 South Australia 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. ”*

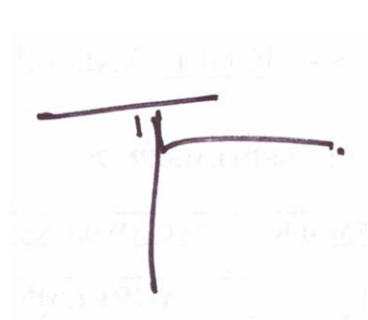
I note that in support of your application you state, among other things, that the Committee of Management considers the reporting obligations governed by the RAO requirements to be too onerous for the branch incurring extensive auditing fees. I need to point out that the lodgement of financial documents 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 contain 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, the reporting unit must 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 dark ink, appearing to be 'T. Nassios', written over a faint, illegible background of text.

T. Nassios  
Deputy Industrial Registrar

7 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**  
(FR2005/253, FR2006/420 and FR2007/406)

CERTIFICATE

On 4 December 2007 application was made under subsection 271(1) of Schedule 1 of the *Workplace Relations Act 1996* for a certificate of exemption by the South Australia 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

7 March 2008



4 December 2007

**Association of Consulting  
Architects**

**South Australia**

The Registrar  
Australian Industrial Relations Commission  
GPO Box 19945  
MELBOURNE Vic 3001

Attention: Robert Pfeiffer

100 Flinders Street  
Adelaide  
South Australia 5000 Australia  
T 61 8 8228 9100  
F 61 8 8228 9199  
E sa@raia.com.au

Dear Sir

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

---

My name is Graham Hardy, Secretary of the Association of Consulting Architects – South Australia 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.

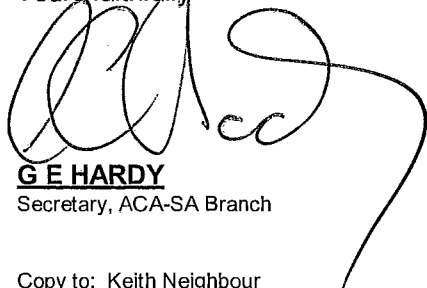
In support of the application:

1. The Branch is the State representative of the National body, the Association of Consulting Architects – Australia.
2. The Branch consisted of:
  - a. 28 members for the financial year 30 June 2005
  - b. 21 members for the financial year 30 June 2006 and
  - c. 23 members for the financial year 30 June 2007
3. Membership fees, as the only source of income, consist of a National and Branch component.
4. The Branch has an account with the Commonwealth Bank, BSB No. 065-126 Account No. 065126 00902934. 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. The Committee of Management consider the new reporting obligations governed by the requirements of the RAO schedule of the Workplace Relations Act 1996 to be too onerous for our Branch incurring extensive auditing fees.

6. The Committee of Management consists of financial members elected by the Branch in accordance with the rules of the organisation. 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 organisation 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.

Would you please consider this application for exemption and advise us of your decision as soon as possible as we are currently commencing the audit process for the 2006-2007 year.

Yours faithfully



**G E HARDY**  
Secretary, ACA-SA Branch

Copy to: Keith Neighbour