



Australian Government
Australian Industrial Registry

27 March 2009

Mr John Alducci
Chief Executive Officer
Australian Trainers' Association
PO Box 585
FLEMINGTON VIC 3031

Dear Mr Alducci,

Application by the New South Wales Branch for a Certificate of Exemption from the Requirements of Part 3 of Chapter 8 of Schedule 1 to the Workplace Relations Act 1996 (RAO Schedule) for the year ended 30 June 2008 (FR2008/288)

I refer to an application that was lodged on behalf of the New South Wales Branch of the Australian Trainers' Association on 5 March 2009 for a certificate of exemption under section 271(1) of the RAO Schedule for the financial year ended 30 June 2008.

I have granted the application. My certificate is enclosed.

I note that the application has been made under your signature as the Chief Executive Officer of the Australian Trainers' Association. Since the New South Wales Branch is a separate reporting unit for the purposes of the RAO Schedule, I would normally require the application to be signed by an elected office holder of the New South Wales Branch. I note, however, that advice was provided to me in a letter dated 26 November 2008 (in R2008/451) regarding a resolution of the Australian Trainers' Association dissolving the New South Wales Branch with effect from 31 October 2008. In these circumstances, I am prepared to accept that there is no elected office holder of the New South Wales Branch who is able to sign the application under section 271(1) of the RAO Schedule.

You should be aware that section 271(3) of the RAO Schedule requires an application for exemption under section 271(1) to be lodged within 90 days of the end of the financial year. As it is with respect to the financial year ended 30 June 2008, this application should have been lodged by 28 September 2008. It is therefore more than five months out of time. I note that no request for an extension of time has been made with this application.

I am prepared to grant the Branch an extension of time for lodging the application until 5 March 2009 but I remind you that a Registrar's power to grant an extension is discretionary. In determining whether or not to grant an extension, I may examine all relevant circumstances, including whether the requirements of the RAO Schedule have been met. Applicants should not assume that an extension will always be granted.

Yours sincerely,

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

Terry Nassios
Deputy Industrial Registrar



Workplace Relations Act 1996

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

Australian Trainers' Association – New South Wales Branch
(FR2008/288)

CERTIFICATE

On 5 March 2009 an application was made under subsection 271 of Schedule 1 of the *Workplace Relations Act 1996* by the New South Wales Branch of the Australian Trainers' Association for a certificate of exemption in respect of the financial year ended 30 June 2008. I am satisfied that the said Branch is a reporting unit that did not have any financial affairs in the year ended 30 June 2008.



Terry Nassios
DEPUTY INDUSTRIAL REGISTRAR

27 March 2009