



FAIR WORK
AUSTRALIA

29 July 2010

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

By email: ata@austrainers.com.au

Mr Alducci,

Re: Application for certificate of exemption under section 271 of the Fair Work (Registered Organisations) Act 2009 (FR2010/2596, FR2010/2597, FR2010/2763)

I refer to your applications dated 8 July 2010, which were lodged with Fair Work Australia on 9 July 2010, for certificates of exemption under section 271(1) of the *Fair Work (Registered Organisations) Act 2009* (the Act) in respect of the of the Victorian, Tasmanian and Queensland Branches of the Australian Trainers' Association for the year ended 30 June 2010. I note that the correct reference is s271(1) of the Act, and not s271(1) of Schedule 1 of the Act.

I have granted the applications for the relevant financial year and my certificates are enclosed.

In regards to the application for the New South Wales Branch I note that the branch ceased to exist from 31 October 2008. Section 242(3) provides that where an organisation is divided into branches, each branch will be a reporting unit unless a certificate is issued to divide the organisation on an alternative basis. Given that there is no longer a branch in NSW, there is no reporting unit, which means reporting obligations under ss.252, 253 and 254 do not arise and I cannot authorise a certificate under s271(1), as these only apply to reporting units.

Yours sincerely,



Terry Nassios
Delegate of Fair Work Australia



FAIR WORK
AUSTRALIA

Fair Work (Registered Organisations) Act 2009
s. 271 certificate of exemption from requirements of Chapter 8, Part 3

Australian Trainers' Association

(FR2010/2596)

CERTIFICATE

On 8 July 2010 an application was made under section 271(1) of the *Fair Work (Registered Organisations) Act 2009* by the Victorian Branch of the Australian Trainers' Association for a certificate of exemption in respect of the financial year ended 30 June 2010. I am satisfied that the said Branch is a reporting unit that did not have any financial affairs in the year ended 30 June 2010.



T. NASSIOS
Delegate of the General Manager
Fair Work Australia

29 July 2010



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Associated Entity:



8 July 2010

General Manager

Fair Work Australia
GPO Box 1994
MELBOURNE VIC 3001

Dear Sir/Madam,

**RE: AUSTRALIAN TRAINERS' ASSOCIATION
VICTORIAN BRANCH**

We make the following representations with respect to the application for exemption pursuant to s271 of Schedule 1 of the *Fair Work (Registered Organisations) Act 2009* for the above-mentioned branch for the financial year ended 30 June 2010.

The branch did not hold an interest in any real property or personal property for the financial year ended 30 June 2010.

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 41 of the Association's Constitution.

The members of the branch pay levies under the rules of the organisation to the central body (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 - Victorian Branch Committee:

COLIN ALDERSON, President