



Fair Work Australia

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

Police Federation of Australia

(FR2009/234)

CERTIFICATE

On 1 October 2009 an application was made under section 271(1) of the *Fair Work (Registered Organisations) Act 2009* by the Northern Territory Police Branch of the Police Federation of Australia for a certificate of exemption in respect of the financial year ended 30 June 2009. I am satisfied that the said Branch is a reporting unit that did not have any financial affairs in the year ended 30 June 2009.



T. NASSIOS
Delegate of the General Manager
Fair Work Australia

14 October 2009

ELLIOTT, Mark

From: ELLIOTT, Mark
Sent: Wednesday, 14 October 2009 2:44 PM
To: 'Rob Perry'
Subject: RE: PFA NT Branch request for s.271 Certificate of Exemption
Attachments: FR2009_234_PFA_NT_s271certificate_ye20jun09.pdf

Dear Mr Perry,

I refer to your email below and the attached application for an exemption, in relation to the financial year ended 30 June 2009, from the financial reporting obligations imposed by the Fair Work (Registered Organisations) Act 2009.

A delegate of the General Manager of Fair Work Australia today granted the Police Federation of Australia - Northern Territory Police Branch's application. A copy of the Delegate's certificate is attached.

Please contact me by return email or telephone on 03 8661 7811 should you wish to discuss the matter.

Kind regards,

MARK ELLIOTT
Tribunal Services and Organisations

Fair Work Australia
Tel: 03 8661 7811
Fax: 03 9655 0410
mark.elliott@fwa.gov.au

11 Exhibition Street, Melbourne Victoria 3000
GPO Box 1994, Melbourne Victoria 3001

www.fwa.gov.au

From: Rob Perry [mailto:rperry@ntpa.com.au]
Sent: Thursday, 1 October 2009 1:58 PM
To: DONNELLAN, Kevin
Cc: Vince Kelly
Subject: PFA NT Branch request for s.271 Certificate of Exemption

Dear Mr Donnellan,

Please find attached a letter from the President of the PFA NT Branch seeking a certificate of exemption from reporting obligations pursuant to s.271 of the *Fair Work Act*.

Regards,

Rob Perry
Industrial & Legal Officer
NT Police Association Inc.
Email: rob.perry@ntpa.com.au
Mobile: 0488106028
Office: 0889818840
Facsimile: 0889816219
GPO Box 2350
Darwin NT 0800
Abn 36 709 591 145

IMPORTANT:

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Northern Territory Police Association Incorporated

01 October 2009

Tribunal Services and Organisations
Fair Work Australia

VIA EMAIL: kevin.donnellan@fwa.gov.au

ATTENTION: Mr Kevin Donnellan

Dear Sir,

**Lodgement of Financial Documents for Year Ended 30 June 2009 [FR2009/234]
S.271 Fair Work (registered Organisations) Act 2009
Request for Certificate of Exemption from Reporting Obligations**

I, Vincent Michael KELLY, President of the Northern Territory Police Branch of the Police Federation of Australia, 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 2009.

I apologise for the delay in the filing of this application and seek the indulgence of the Registrar to extend the 90 day time period from the end of the financial year to which the application relates in accordance with s.271(3) of the Act.

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 Northern Territory Police Association (the "Associated Body"),

referred to in Rules 6 and 6A and 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 22 October 1979.
6. The Branch was not formed until 31 December 1997 when the Police Federation of Australia was registered as an organisation.
7. 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), operates a bank account, has leased and/or owned property and office machinery and employs and pays wages of employees.
8. 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.
9. 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.
10. 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 monthly and regulates the affairs of the Branch in a thorough and consistent manner.

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

Yours Sincerely,


Vince Kelly
President

ELLIOTT, Mark

From: Rob Perry [rperry@ntpa.com.au]
Sent: Thursday, 1 October 2009 1:58 PM
To: DONNELLAN, Kevin
Cc: Vince Kelly
Subject: PFA NT Branch request for s.271 Certificate of Exemption
Attachments: Ltr to Fair Work re exemption certificate 01102009.pdf

Dear Mr Donnellan,

Please find attached a letter from the President of the PFA NT Branch seeking a certificate of exemption from reporting obligations pursuant to s.271 of the *Fair Work Act*.

Regards,

Rob Perry
Industrial & Legal Officer
NT Police Association Inc.
Email: rob.perry@ntpa.com.au
Mobile: 0488106028
Office: 0889818840
Facsimile: 0889816219
GPO Box 2350
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Fair Work Australia

7 September 2009

Mr Vince Kelly
President
Police Federation of Australia-Northern Territory Police Branch
admin@ntpa.com.au

Dear Mr Kelly,

**Lodgement of Financial Documents for year ended 30 June 2009 [FR2009/234]
Fair Work (Registered Organisations) Act 2009 (the RO Act)**

The financial year of the Police Federation of Australia-Northern Territory Police Branch (the "reporting unit") has recently ended. This is a courtesy letter to remind you of the obligation to prepare and process the reporting unit's financial documents. The full financial report must be lodged with Fair Work Australia within a period of 5 months and 14 days or 6 months and 14 days, depending on your rules, of the end of the financial year.

The RO Act sets out a particular chronological order in which financial documents and statements must be prepared, audited, provided to members and presented to a meeting. The attached *Timeline/Planner* summarises these requirements.

In addition, financial reporting fact sheets and sample documents can be found on our new Fair Work Australia website. You will find that the legislative requirements remain largely unchanged to that of the former requirements under Schedule 1 of the Workplace Relations Act 1996. The information can be viewed at [FWA Registered Organisations Fact Sheets](#).

This office encourages you to lodge all financial reports electronically (e.g. as pdf files) at orgs@fwa.gov.au. Alternatively, you can forward the documents by fax to (03) 9655 0410.

If you need any further information or if you believe you will be unable to lodge the full financial report within the period mentioned above please contact me on (03) 8661 7764 or by email at kevin.donnellan@fwa.gov.au.

Yours sincerely,

Kevin Donnellan
Tribunal Services and Organisations
Fair Work Australia

TIMELINE/ PLANNER

Financial reporting period ending:	/ /
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Prepare financial statements and Operating Report.
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(a) A Committee of Management Meeting must consider the financial statements, and if satisfied, pass a resolution declaring the various matters required to be included in the Committee of Management Statement.	/ /
(b) A #designated officer must sign the Statement which must then be forwarded to the auditor for consideration as part of the General Purpose Financial Report (GPFR).	

As soon as practicable after end of financial year

Auditor's Report prepared and signed and given to the Reporting Unit - s257	/ /
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*Within a reasonable time of having received the GPFR
(NB: Auditor's report must be dated on or after date of Committee of Management Statement*

Provide full report free of charge to members – s265 The full report includes: <ul style="list-style-type: none"> the General Purpose Financial Report (which includes the Committee of Management Statement); the Auditor's Report; and the Operating Report. 	/ /
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*(a) if the report is to be presented to a General Meeting (which must be held within 6 months after the end of the financial year), the report must be provided to members 21 days before the General Meeting,
or
(b) in any other case including where the report is presented to a Committee of Management meeting*, the report must be provided to members within 5 months of end of financial year.*

Present full report to:	
(a) General Meeting of Members - s266 (1),(2); OR	/ /
(b) where the rules of organisation or branch allow* - a Committee of Management meeting - s266 (3)	/ /

Within 6 months of end of financial year

Within 6 months of end of financial year

Lodge full report with Fair Work Australia, together with the #Designated Officer's certificate** – s268	/ /
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Within 14 days of meeting

* the full report may only be presented to a committee of management meeting if the rules of the reporting unit provide that a percentage of members (not exceeding 5%) are able to call a general meeting to consider the full report.

The Committee of Management Statement and the Designated Officer's certificate must be signed by the Secretary or another officer who is an elected official and who is authorised under the rules (or by resolution of the organisation) to sign the statement or certificate – s243.

++ The Designated Officer's certificate must state that the documents lodged are copies of the documents provided to members and presented to a meeting in accordance with s266 – dates of such events must be included in the certificate. The certificate cannot be signed by a non-elected official.