



CERTIFICATE

Fair Work (Registered Organisations) Act 2009

s.271—Certificate of exemption from requirements of Chapter 8, Part 3

Police Federation of Australia-Northern Territory Police Branch
(FR2013/138)

MR ENRIGHT

MELBOURNE, 16 JANUARY 2014

Certificate of exemption from the requirements of Chapter 8, Part 3 of the Fair Work (Registered Organisations) Act 2009

[1] On 26 November 2013 an application was made under s.271(1) of the *Fair Work (Registered Organisations) Act 2009* (the Act) by Police Federation of Australia-Northern Territory Police Branch for a certificate of exemption in respect of the financial year ended 30 June 2013.

[2] I am satisfied that the said Branch is a reporting unit that did not have any financial affairs in respect of the financial year ended 30 June 2013.



DELEGATE OF THE GENERAL MANAGER

Printed by authority of the Commonwealth Government Printer

<Price code A>



16 January 2014

Mr Vince Kelly
President
Police Federation of Australia-NT Police Branch
GPO PO Box 2350
Darwin NT 0801

Dear Mr Kelly,

Re: Section 271 application for exemption from the financial reporting obligations of Part 3 of Chapter 8 of the Fair Work (Registered Organisations) Act 2009 (the Act)

I refer to your letter of 26 November 2013 addressed to the Regulatory Compliance Branch of the Fair Work Commission. The letter was received at the Fair Work Commission (the Commission) on the same date.

In the correspondence you make application on behalf of the Police Federation of Australia-Northern Territory Police Branch (the Branch) "for a certificate to exempt the Branch from the requirements of the Act relating to financial matters occurring in the year ended 30 June 2013."

I note that in support of the application you refer to the fact that the Branch 'does not trade or carry out financial transactions of any kind' and secondly a statement that '[t]he reason that the Branch does not trade is because of the relationship between the Branch and the Associated Body, i.e. The Police Association ("the Association"), referred to in Rules 6A, 6B and the membership application form at Annexure "A" of the Federal Rules of the Police Federation of Australia.'

I am satisfied that the Branch did not have any financial affairs in the year ended 30 June 2013. The attached certificate reflects this decision.

Yours sincerely

Chris Enright
Delegate of the General Manager
Fair Work Commission



NORTHERN TERRITORY POLICE ASSOCIATION

26 November 2013

Regulatory Compliance Branch
Fair Work Commission

VIA EMAIL: orgs@fws.gov.au

Dear Sir or Madam,

**Lodgement of Financial Documents for Year Ended 30 June 2013 [FR2013/138]
S.271 Fair Work (Registered Organisations) Act 2009 (the RO Act)
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 2013.

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 other than in January of each year 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