



FAIR WORK
AUSTRALIA

15 March 2011

Mr Brian Rix
President
Police Federation of Australia, Victoria Police Branch
1 Clarendon Street
East Melbourne Vic 3002

By email: general@tpav.org.au

Dear Mr Rix

Application under section 271(1) of the Fair Work (Registered Organisations) Act 2009 by the Victoria Police Branch of the Police Federation of Australia for a certificate of exemption in respect of the financial year ended 30 June 2010 (FR2010/2527)

I refer to your application pursuant to section 271(1) for an exemption, in relation to the financial year ended 30 June 2010, from the financial reporting obligations imposed by the Fair Work (Registered Organisations) Act 2009.

I have allowed an extension of time for the making of the application, and I have granted the application. I have done so after considering the particular circumstances of the application. My certificate is enclosed.

If you have any queries regarding this matter please contact Mr Scott Shepherd at scott.shepherd@fwa.gov.au or on 03 8661 7787.

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

Police Federation of Australia

(FR2010/2527)

CERTIFICATE

On 16 February 2011 application was made, with further information provided on 10 March 2011, under section 271(1) of the *Fair Work (Registered Organisations) Act 2009* by the Victoria Police Branch of the Police Federation of Australia 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

15 March 2011



The Police Association

UPHOLDING OUR RIGHTS SINCE 1917

Our ref: 21588s.002

16 February 2011

Mr Kevin Donnellan
Tribunal Services & Organisations
Fair Work Australia
GPO Box 1994
MELBOURNE 3001

Attention: Mr Mark Elliott

Dear Mr Donnellan

Re: Lodgement of Financial Documents for year ended 30 June 2010 [FR2010/2527]

We refer to your letter of 15 February 2011 advising that the financial reports for the Police Federation of Australia Victoria, Police Branch ("the Branch") have not been lodged with Fair Work Australia, as required by the Fair Work (Registered Organisations) Act 2009 ("the Act").

In accordance with the Police Federation of Australia, Victoria Police Branch Rules, as President, I am authorised to act on behalf of the Branch.

Pursuant to section 271 the Act, we 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 2010.

In support of the application I state the following:

The Branch does not trade or carry out financial transactions of any kind.

The Branch does not have an account with a bank or any other financial institution nor does it have custody of any real property or moneys.

The Branch accordingly has no reason to keep accounting records.

The 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.

The Associated Body was incorporated on 31 March 1947.

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PO Box 76, Carlton South, Victoria 3053
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The Branch was not formed until 31 December 1997 when the Police Federation of Australia was registered as an organisation.

Since inception, the Associated Body has carried out financial transactions 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), has operated a bank account, has leased and/or owned property and office machinery, has employed and paid wages of employees.

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.

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. Officers of the Branch act for and appear for members in the Australian Industrial Relations Commission.

The Association as the Associated Body is the representative industrial organisation for the vast majority of Victoria Police members (total full financial members as of 31 December 2010, 11,998).

The Association is a registered company under the Corporations Act and is subject to the scrutiny of the Australian Securities and Investments Commission ("ASIC"), with an annual requirement to provide a fully audited general purpose financial report for the preceding 12 month period (last reported period 1 July 2009 to 30 June 2010).

This process involves a full audit of the Association's financial affairs carried out by a top tier accounting firm, Deloitte, who are appointed as auditors of the Association at each Annual General Meeting held in September.

The audit carried out by Deloitte is presented to the Director's meeting in August of each year and is then published in the August edition of The Police Association Journal. The Journal is mailed to all members of the Association and the financial report is published on the Association's website which is freely available for all members to view.

The financial report was presented to members at the Annual General Meeting of the Association held on Friday 10 September 2010.

The 2009/2010 financial report of the Association was lodged with ASIC on **4 November 2010** (copy of ASIC documentation confirming same).

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 Police Federation Rules. This fee is paid by the Associated Body in accordance with Rule 7(e) of the Rules.

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We respectfully request that you further consider the aforementioned matters and provide an exemption from the requirements of Chapter 8, Part 3 of the Act.

If you have any queries regarding this matter, please contact Ms Sylvia Loveless, Administration Manager on 9468 2600.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'B. Rix', is positioned above the printed name.

BRIAN RIX
President

Encl. Extract from ASIC's Data Base re The Police Association



ASIC

Australian Securities & Investments Commission

National Names Index

Index of corporate and business names

SEARCH TIPS

Extracted from ASIC's database at AEST 10:58:25 on 16/02/2011

Name THE POLICE ASSOCIATION.

ACN 004 251 325

ABN 78 004 251 325

Type Australian Public Company, Limited By Guarantee

Registration Date 31/03/1947

Next Review Date 31/03/2011

Status Registered

Locality of Registered Office East Melbourne VIC 3002

Jurisdiction Australian Securities & Investments Commission

Previous State VIC

Previous Number C0024367T

These are the documents that ASIC has most recently received from or in relation to this organisation. Page numbers are shown if processing is complete and the document is available for purchase.

Date	Number	Pages	Description
23/09/2010	7E3190409	2	484E Change to Company Details Appointment or Cessation of A
15/09/2010	1F0295587	5	484E Change to Company Details Appointment or Cessation of A
09/09/2010	027139113	33	388A (FR 2010) Financial Report Financial Report - Public Company Or

Complete Document Listing

Document Listing Between Dates

Exclude form 7053A (Disclosure notice for disclosing entity)

Start Date 31 Mar 1947

End Date 16 Feb 2011

SEARCH



Billcode: 17301
Ref: 2290042513254



Billpay Code: 8929
Ref: 2290 0425 1325 463

by phone 13 18 16
pay by Mastercard or VISA

internet postbillpay.com.au
pay by Mastercard or VISA

You can find out more about this company or order copies of the documents from the following ASIC information brokers:

From: [Sylvia Loveless](#)
To: [SHEPHERD, Scott](#)
Subject: Application for Exemption [FR1010/2527]
Date: Thursday, 10 March 2011 12:01:47 PM
Attachments: [image002.jpg](#)
[image001.jpg](#)

Hi Scott

Further to our discussions in relation to our letter dated 16 February 2011 seeking an exemption from the lodgement of financial documents for the year ended 30 June 2010.

We acknowledge that the required documents were not filed within the legislated timeframe, however The Police Association was going through a change of staff period during the months of June and July 2010 and it was due to this transition that the requirement to lodge an exemption was not provided by the due date.

We seek your assistance in seeking an extension for lodging our application for exemption.

Please do not hesitate to contact if you have any further queries and thank you for your assistance.

Regards

Sylvia Loveless

Administration Manager

The Police Association Victoria

1 Clarendon Street, East Melbourne VIC 3002 **DX: 210680**

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