



FAIR WORK
AUSTRALIA

14 September 2011

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

Dear Mr Rix

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* for financial year ended 30 June 2011 (FR2011/2527)

I refer to your application pursuant to s.271 of the *Fair Work (Registered Organisations) Act 2009*, lodged in Fair Work Australia on 5 September 2011, in respect of the Victoria Police Branch of the Police Federation of Australia (the Branch) for the financial year ended 30 June 2011.

I am satisfied that the Branch is a reporting unit and that it did not have any financial affairs in the years ended 30 June 2011. The attached certificate reflects this decision.

If you wish to discuss this matter, please contact Kevin Donnellan on (03) 8661 7764 or by email to kevin.donnellan@fwa.gov.au.

Yours sincerely,

T. Nassios

Delegate of the Acting General Manager
Fair Work Australia



FAIR WORK
AUSTRALIA

CERTIFICATE

Fair Work (Registered Organisations) Act 2009

s.271 - Reporting unit's exemption from requirements of Chapter 8, Part 3

Police Federation of Australia
(FR2011/2527)

T. NASSIOS

MELBOURNE, 14 SEPTEMBER 2011

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

[1] On 31 August 2011 an application was made under s.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 2011.

[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 2011.


DELEGATE OF THE ACTING GENERAL MANAGER
FAIR WORK AUSTRALIA

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The Police Association

UPHOLDING OUR RIGHTS SINCE 1917

Our ref: 21588s.005

31 August 2011

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

Dear Mr Donnellan

**Re: Lodgement of Financial Documents for year ended 30 June 2011 [FR2011/2527]
Application for Exemption (Section 271(1))**

We refer to your letter of 20 July 2011 reminding that the financial reports for the Police Federation of Australia Victoria, Police Branch ("the Branch") must be prepared and processed, 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 2011.

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.

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 Fair Work Australia.

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 2011 is 11,992).

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 2010 to 30 June 2011).

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 will be presented to members at the Annual General Meeting of the Association to be held on Friday 9 September 2011.

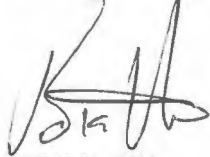
The 2010/2011 financial report of the Association was lodged with ASIC on **3 August 2011** (copy of ASIC documentation confirming same).

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.

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 black ink, appearing to read 'BRIAN RIX', written over a horizontal line.

BRIAN RIX
President

Encl.