



FAIR WORK
AUSTRALIA

17 September 2012

Mr Phillip Pearson
President
Police Federation of Australia
Victoria Police Branch
1 Clarendon Street
EAST MELBOURNE VIC 3002

By email: general@tpav.org.au

Dear Mr Pearson,

**Re: Application for certificate of exemption under section 271 of the Fair Work
(Registered Organisations) Act 2009 (FR2012/229)**

I refer to your application dated 27 August 2012, which was received with Fair Work Australia on 28 August 2012, for a certificate of exemption under section 271(1) of the *Fair Work (Registered Organisations) Act 2009* in respect to the Victoria Police Branch of the Police Federation of Australia for the year ended 30 June 2012.

I have granted the application and a certificate is attached.

Yours sincerely,

Ailsa Carruthers
Delegate of the General Manager
Fair Work Australia



FAIR WORK
AUSTRALIA

CERTIFICATE

Fair Work (Registered Organisations) Act 2009

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

Police Federation of Australia
(FR2012/229)

AILS A CARRUTHERS

MELBOURNE, 17 SEPTEMBER 2012

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

[1] On 28 August 2012 an application was made under s.271(1) of the *Fair Work (Registered Organisations) Act 2009* (the Act) 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 2012.

[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 2012.




DELEGATE OF THE GENERAL MANAGER
FAIR WORK AUSTRALIA

Printed by authority of the Commonwealth Government Printer

<Price code A, PR529227>



The Police Association

UPHOLDING OUR RIGHTS SINCE 1917

Our ref: 21588s.006

27 August 2012

Ms Andrea O'Halloran
Organisations, Research & Advice
Fair Work Australia
GPO Box 1994
MELBOURNE 3001

Dear Ms O'Halloran

**Re: Lodgement of Financial Documents for year ended 30 June 2012 [FR2012/229]
Application for Exemption (Section 271(1))**

We refer to your letter of 7 August 2012 advising 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 of 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 2012.

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 12,674).

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 2011 to 30 June 2012).

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 14 September 2012.

The 2011/2012 financial report of the Association was lodged with ASIC on 8 August 2012.

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



PHILLIP J PEARSON

President

Encl.



ASIC

Australian Securities & Investments Commission

Australian Company

THE POLICE ASSOCIATION.
ACN 004 251 325

Extracted from ASIC's database at AEST 14:04:15 on 15/08/2012

Company Summary

Name: THE POLICE ASSOCIATION.

ACN: 004 251 325

ABN: 78 004 251 325

Previous State Number: C0024367T

Previous State of Registration: Victoria

Registration Date: 31/03/1947

Next Review Date: 31/03/2013

Status: Registered

Company Type: Australian Public Company, Limited By Guarantee

Locality of Registered Office: East Melbourne VIC 3002

Regulator: Australian Securities & Investments Commission

Further information relating to this organisation may be purchased from ASIC.