**Application Form AF 004** | 6 March 2023

# Application for exemption from financial training

## Section 293M of the *Fair Work (Registered Organisations) Act 2009* (RO Act)

Every officer of a registered organisation with financial duties must complete approved training within six months of taking office, or hold an exemption. The General Manager of the Fair Work Commission may grant an exemption from the requirement for officers with financial management duties to undertake financial training in certain circumstances.

This form should be used to apply for the exemption.

To help understand the legislation relevant to financial training you can also refer to the fact sheet on [Officer financial training (FS 025)](https://regorgs.fwc.gov.au/sites/default/files/migration/429/fs025-officer-financial-training.pdf).

**When do I need to fill in this form?**

|  |  |  |  |
| --- | --- | --- | --- |
| Officer is re-elected to the same office |  |  | You are not required to do more training or have an exemption if you are re-elected to the same office.This form is not required.  |
| Officer is elected to another office after undertaking approved financial training in previous office |  |  | You must do new training or apply for an exemption.If you want to seek an exemption this application should be submitted with sufficient time for us to respond to you within the first six months after taking office.It is recommended that the exemption application is submitted as soon as possible after taking office. |
| Officer takes office for the first time and seeks an exemption |  |  |

**What do I need to complete this form?**

|  |
| --- |
| The contact details of the organisation, branch and officer |[ ]
| Details of the office that the person holds including when they took office |[ ]
| The organisation/branch rules |[ ]
| Details of any training the officer has completed in a prior office |[ ]
| Details of the officer’s previous offices, directorships and/or professional qualifications or experience |[ ]

|  | Before granting an exemption, the General Manager must be satisfied that the officer has a proper understanding of their financial duties in the organisation or branch because of their experience as a company director, as an officer of a registered organisation or other professional qualifications and experience.  |
| --- | --- |

## Privacy Collection Statement

We collect and use private information in accordance with our Privacy Policy, a copy of which is published at [www.fwc.gov.au/about-us/legal-and-freedom-information/privacy/privacy-policy](https://www.fwc.gov.au/about-us/legal-and-freedom-information/privacy/privacy-policy).

Personal data collected by us in response to this application is authorised by law and will be used in the assessment of the application under section 293M of the RO Act. If the information collected is relevant to another of our regulatory functions (such as in respect of any investigation as into possible contravention of the laws we administer) we will, in general, use that personal information for that other purpose.

If personal information that may be relevant to this application is not provided, we may be unable to process this application or assess it favourably to the applicant.

The Commission does not ordinarily publish decisions on applications made under section 293M on its website. However members of the public may be permitted to access or inspect documents lodged with the General Manager including under the *Fair Work (Registered Organisations) Regulations 2009* orfreedom of information or other transparency laws. Any decisions or documents inspected may disclose relevant personal information.

Where reasonably practicable the Commission will consult with an affected person prior to disclosing personal information contained within this application to a third party. Where appropriate, and subject to any legal disclosure requirement, the Commission may redact material to remove personal or sensitive information prior to release.

## Part A: About the Registered Organisation and the Officer seeking exemption

1. Details of the organisation/branch making the application

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| --- | --- |
| **Organisation** |  |
| **Branch/division (if applicable)** |  |
| **Name of authorised person signing on behalf of organisation or Branch/division** |  |
| **Contact person** |  |
| **Contact details** | Email  | Telephone  |

1. Details of the officer seeking exemption

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| --- | --- |
| **Name of officer** |  |
| **Name of the office relevant to this exemption application** |  |
| **Which branch or organisation rules explain the officer’s financial duties?****(e.g. Rules 9 and 10 of rulebook)** |  |
| **Date officer commenced in this office** | DD/MM/YYYY | **Unless an exemption is granted**, the organisation or branch must ensure that the officer completes approved training within **6 months** after commencing in the office. |
| **Has this application been made within 6 months after commencing in the office?** |
| **Yes** |[ ]  Go to part B. |
| **No** |[ ]  If no, please answer the question below. |
| **Please explain why the officer has not undertaken training (s.293K) or sought an exemption (s.293M) within 6 months after commencing in this office** |
|  |

## Part B: Experience as an officer of a registered organisation

1. Does the officer **hold another office** (other than the office identified in Question 2 for which the exemption is sought) and/or has the officer **previously held** office in a federally registered organisation?
* A list of all federally registered organisations is available on the Commission website: [www.fwc.gov.au](https://regorgs.fwc.gov.au/find-a-registered-organisation/).

|  |  |
| --- | --- |
| **Yes** |[ ]   |
| **No** |[ ]  Go to question 6. |

1. Please provide details of other offices currently held, or offices previously held, by the officer
* If there is insufficient space on this form for your response, please attach additional information.

|  |  |
| --- | --- |
| **Organisation** |  |
| **Office** |  |
| **Start date** | DD/MM/YYYY | **End date** | DD/MM/YYYY |
| **Describe the duties and experience in that office (including financial duties)** |  |

|  |  |
| --- | --- |
| **Organisation** |  |
| **Office** |  |
| **Start date** | DD/MM/YYYY | **End date** | DD/MM/YYYY |
| **Describe the duties and experience in that office (including financial duties)** |  |

1. Has the officer previously completed financial training approved by the Fair Work Commission?
* A list of financial training packages approved by the General Manager of the Fair Work Commission is available on the Commission website

|  |  |
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| **Yes** |[ ]  Provide details below and please **attach** evidence of the record of completion of the approved training. |
| **No** |[ ]  Go to question 6. |

|  |  |
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| **Training provider** |  |
| **Date completed** | DD/MM/YYYY |

* If there is insufficient space on this form for your response, please attach additional information.

If the training was undertaken prior to 2 May 2017, please answer the question below

|  |
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| **What steps have been taken to help the officer become aware of relevant and significant legislative changes that have happened since their initial training was undertaken?** |
|  |

1. Other than the approved training described at Question 5 (if answered above), has the officer undertaken any induction or training relating to the duties, including financial duties, of their current office?

|  |  |
| --- | --- |
| **Yes** |[ ]  Provide details below. |
| **No** |[ ]  Go to part C. |

* Provide details of any role-specific training you have received in the text box below.
* If there is insufficient space on this form for your response, please attach additional information.

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## Part C: Experience as a company director

1. Is the officer currently, or have they previously been, a director of a company incorporated in Australia?

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| **Yes** |[ ]  Provide details below. |
| **No** |[ ]  Go to part D. |

* Provide details of current or previously held company directorships. A company directorship does not include directorship of an incorporated association (include this experience in Part D of this form).
* If there is insufficient space on this form for your response, please attach additional information.

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| --- | --- |
| **Company** |  |
| **ABN/ACN** |  |
| **Start date** | DD/MM/YYYY | **End date** | DD/MM/YYYY |
| **Describe the duties and experience in the role of company director (including financial duties)** |  |

|  |  |
| --- | --- |
| **Company** |  |
| **ABN/ACN** |  |
| **Start date** | DD/MM/YYYY | **End date** | DD/MM/YYYY |
| **Describe the duties and experience in the role of company director (including financial duties)** |  |

## Part D: Other professional qualifications and experience

1. Does the officer hold any professional qualifications that are relevant to the officer’s financial duties?

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| --- | --- |
| **Yes** |[ ]  Provide details below. |
| **No** |[ ]  Go to question 9.  |

* Provide details of relevant qualifications. If there is insufficient space on this form for your response, please attach additional information.

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| --- | --- |
| **Qualification** |  |
| **Accrediting institution** |  |
| **Year attained** |  |

|  |  |
| --- | --- |
| **Qualification** |  |
| **Accrediting institution** |  |
| **Year attained** |  |

1. Does the officer have any professional experience that is relevant to the officer’s financial duties?

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| --- | --- |
| **Yes** |[ ]  Provide details below. |
| **No** |[ ]   |

* If there is insufficient space on this form for your response, please attach additional information.

|  |  |
| --- | --- |
| **Company / business / organisation** |  |
| **Describe role and explain how the experience is relevant to the officer’s financial duties** |  |
| **Start date** | DD/MM/YYYY | **End date** | DD/MM/YYYY |

|  |  |
| --- | --- |
| **Company / business / organisation** |  |
| **Describe role and explain how the experience is relevant to the officer’s financial duties** |  |
| **Start date** | DD/MM/YYYY | **End date** | DD/MM/YYYY |

## Part E: Declaration and signature

* I am aware that the making of a false or misleading statement in an application is a serious offence and that a person who knowingly makes a false or misleading statement in relation to an application is guilty of an offence – see Part 7.4, section 136.1 of the *Criminal Code*.
* I am aware that giving false or misleading information is a serious offence. A person who knowingly gives false or misleading information is guilty of an offence – see Part 7.4, section 137.1 of the *Criminal Code.*
* I am authorised to disclose to the Commission the personal information disclosed in this application and any individual whose personal information has been so disclosed has been informed about the manner in which the Commission may collect, use and disclose that information.
* I declare that the information provided is true and correct to the best of my knowledge and belief.

|  |  |
| --- | --- |
| **Printed name** |  |
| **Signature** |  |
| **Date** |  |

|  | The authorised person signing on behalf of the organisation or branch/division (identified in question 1 of this form) is the person required to sign the declaration above.  |
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|  | **Please lodge the completed form with the** **Fair Work Commission via email to:** regorgs@fwc.gov.au  |