



# Registration of auditors

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## Auditors and financial reports

The *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires that all financial reports of organisations and branches must be audited by an auditor registered by the General Manager of the Fair Work Commission before they are provided to members, presented to a meeting and lodged with the Fair Work Commission (the Commission).

For further information on the financial reporting process please see our [website](#).

## Who can apply to be registered

A person can apply in writing to the General Manager to be registered as an auditor.

The application must be in the approved form and if the application is made by:

- a registered company auditor – include evidence of that status
- a person who is not a registered company auditor – include the information contained in the regulations.

A company may apply to be registered however in order to hold the position of auditor of a reporting unit a company must have at least one director, officer or employee who is a registered company auditor.

## Registered company auditors

The General Manager must register a registered company auditor as an auditor under the RO Act unless they are excluded by section 255E of the RO Act (see below).



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## Persons who are not registered company auditors

The General Manager must register a person as an auditor under the RO Act who is not a registered company auditor if satisfied that the person:

- has appropriate qualifications (and, if required, experience); AND
- either satisfies the requirements of ASIC under section 1280A of the *Corporations Act 2001* or has the required practical experience; AND
- is capable of performing the duties of an auditor and is otherwise a fit and proper person to be registered as an auditor AND
- is not excluded under section 255E of the RO Act (see below).

### 1. Qualifications

Section 255C of the RO Act outlines what educational qualifications are required of an auditor. The person must:

- hold a degree, diploma or certificate from a university or other prescribed institution (see regulations made under section 1280(2A)(a) of the *Corporations Act 2001*) AND
- have passed the examinations in subjects that represent a course of study in accountancy of not less than three years duration or commercial law of not less than two years duration AND
- have satisfactorily completed a course in auditing prescribed by regulations made under section 1280(2A)(c) of the *Corporations Act 2001*.

OR

- possess other qualifications and experience that, in the General Manager's opinion, are equivalent to the requirements above.

### 2. Practical experience

If the person does not satisfy all of the requirements of ASIC approved under section 1280A of the *Corporations Act 2001*, they must have:



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- undertaken at least 3,000 hours work in auditing companies or organisations (including at least 750 hours supervising) during the five years immediately before making an application OR
- practical experience that, in the General Manager’s opinion, is equivalent.

Applicants should contact the Commission for information about the full list of documents required to be lodged with their application.

## Section 255E – persons who must not be granted registration

The General Manager must refuse to register a person if the person:

- is within the exclusion period following a conviction for a prescribed offence (section 215(1) of the RO Act), or
- has been disqualified by the Federal Court under section 307A of the RO Act.

The General Manager may refuse an application if the person is not resident in Australia.

## If registration is granted

The General Manager must issue a certificate to the applicant informing them that:

- they are now a registered auditor
- the date the registration was granted.

The registration takes effect from the date it was granted.

### 3. The register of auditors

The auditor’s details are placed in a register of auditors which is available from the [website](#).

The register includes the auditor’s:

- name
- registration number
- date of registration
- address of principal place of practice



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- name of the company, ACN or firm
- the date of any suspension.

## Informing the General Manager of changes

A registered auditor must inform the General Manager of any changes in their circumstances that may materially affect their registration within 14 days. A failure to do so is subject to a penalty.

Further, in order to maintain the accuracy of the register, auditors need to advise the Commission of any changes to their details by declaration as soon as practicable.

## If registration is refused

The General Manager cannot refuse an application for registration without holding a hearing and giving the individual a chance to make submissions and provide further evidence in support of their application for registration.

The General Manager must provide a decision in writing to the individual outlining the reasons for the decision to refuse registration.

## Cancellation or suspension of registration

The General Manager may cancel or suspend a person's registration as an auditor if they:

- have failed to carry out their duties under the Act
- have not performed audit work during a period of not less than five years and consequently does not have the requisite experience
- are otherwise not a fit and proper person to remain registered
- are no longer a registered company auditor.

The General Manager must notify ASIC of the suspension or cancellation and the reasons for it.

The General Manager must inform the affected person in writing of the decision to cancel or suspend their registration.



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## Further information

If you require further assistance regarding the information in this fact sheet please contact the Commission at [regorgs@fwc.gov.au](mailto:regorgs@fwc.gov.au) or call us on **1300 341 665**.

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This fact sheet is not intended to be comprehensive. The Fair Work Commission does not provide legal advice. Users must rely upon the relevant legislation, which is set out in the *Fair Work (Registered Organisations) Act 2009*, the *Fair Work Act 2009*, the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009* and the *Fair Work (Registered Organisations)*