



DECISION

Fair Work (Registered Organisations) Act 2009

s.30(1)(a) RO Act - Application by organisation for cancellation of registration

Victorian Association of Forest Industries

(D2017/7)

DEPUTY PRESIDENT GOSTENCNIK

MELBOURNE, 6 DECEMBER 2017

Cancellation of registration on application by organisation made under the regulations; section 30(1)(a) RO Act.

[1] This is an edited version of the decision delivered *ex tempore* and recorded in transcript on 1 December 2017. The Victorian Association of Forest Industries has applied to the Fair Work Commission (Commission), pursuant to s.30(1)(a) of the *Fair Work (Registered Organisations) Act 2009* (Act), for an order cancelling the registration of the organisation which is currently registered as an employer organisation under that Act. The application was made on 14 September 2017. Along with the application filed there is a statutory declaration of Mr Michael James Taylor who is the President of the organisation.

[2] Section 30(1)(a) provides that the Commission may cancel registration of an organisation on application of an organisation made in accordance with the *Fair Work Registered Organisations Regulations 2005* (Regulations). Regulation 34 of the Regulations sets out the various requirements that need to be satisfied, before the Commission may exercise its discretion to cancel the registration. I am satisfied relevantly that each of the matters set out in Regulation 34 have been complied with. Specifically, a notice of the application for cancellation of the registration of the organisation was published in the Commonwealth of Australia Government Gazette on 5 October 2017. The period during which objections could be lodged ended on 9 November 2017. The application was listed for hearing on 1 December 2017 as the Act requires that I do. There was no appearance from any objectors and no objection to the cancellation of the registration application has been lodged.

[3] In those circumstances I am satisfied that there has been compliance with the matters set out in s.30(1)(a) of the Act, and Regulation 34 of the Regulations, and there are no apparent grounds of which I am aware which would provide a basis for declining the application to cancel the registration of the organisation. I am satisfied of these matters based on the application that has been filed and the material in support of the application supported by the statutory declaration of Mr Taylor.

[4] I am satisfied that relevant notice was published in the Commonwealth of Australia Government Gazette. I am satisfied that no person or organisation has lodged an objection. I am satisfied that the notice of hearing was published in the usual way and that any party who wished to object had ample opportunity, either in writing or by attendance.

[5] Accordingly, I propose to grant the application and to cancel the registration of the Victorian Association of Forest Industries. The registration cancellation will take effect on and from 8 December 2017.

[6] An order has separately been issued in PR598272.



DEPUTY PRESIDENT

Appearances:

Mr T Johnston, Chief Executive Officer of the Victorian Association of Forest Industries.

Hearing details:

2017.

1 December.

Melbourne.

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