**Application Form** **AF 001** | 14 July 2023

# Application for registration as a registered auditor by a registered company auditor

**Under Subdivision A of Division 4 of Part 3 of Chapter 8 of *the Fair Work (Registered Organisations) Act 2009***

## Purpose of this form

This form is for use by individuals who are applying for registration as a registered auditor (RA) under the *Fair Work (Registered Organisations) Act* 2009 (the RO Act) and who are currently a registered company auditor (RCA) under Part 9.2 of the *Corporations Act 2001* (the Corporations Act).

Your answers to the following questions will enable the General Manager of the Fair Work Commission to make an informed decision on whether or not you satisfy the requirements for registration as an RA. The Guidance Notes, [Applying to become a registered auditor under section 255A of the *Fair Work (Registered Organisations) Act 2009*](https://regorgs.fwc.gov.au/sites/default/files/migration/444/gn001-applying-for-registration-as-an-ra-guidance-note.pdf), further assist in setting out how an applicant may meet the requirements for registration as an RA.

## Eligibility

This form is to be completed by an individual who:

* wishes to apply to be an RA; and
* is currently an RCA under the Corporations Act.

Eligibility requirements are set out in the Act and *the Fair Work (Registered Organisations) Regulations 2009* (the Regulations).

## Instructions for completing this form

Please read each part of the application carefully, fully answer all the questions, sign where indicated and attach the required documentation.

You must complete and submit:

* **Part A:** Personal details
* **Part B:** Capacity
* **Part C:** Registered company auditor (attach a copy of your certificate of registration as an RCA)
* **Part D:** Declaration and signature

|  |  |
| --- | --- |
| Check boxes | Mark boxes like this □ with a ✔ or ✘. When an instruction asks you to ‘tick’ the box, you can still use either ✔ or ✘. |
| Go to | Where an instruction has a black single arrow (⏵), go to the next question. Where an instruction has a black single arrow pointing down (⏷), fill in the field(s) directly below. |
| Mandatory questions | If all fields in a question are mandatory and must be completed, **(required)** is added to the end of the question label text. If a field in a question is mandatory only IF a condition is met, **(required if any)** is added to the end of the question label text. |
| ⏵ | This symbol indicates an instruction on what to do next. |
| 🛈 | This symbol indicates additional useful guidance to filling in the adjacent field or section. |
| 🖈 | This symbol advises that additional documentation to support a claim may need to be attached to the application. |

## Help filling in this form

The [Guidance Note: Applying to become a registered auditor under section 255A of the *Fair* *Work (Registered Organisations) Act 2009*](https://regorgs.fwc.gov.au/sites/default/files/migration/444/gn001-applying-for-registration-as-an-ra-guidance-note.pdf) have been designed to help you interpret the eligibility criteria set out in the Act. The guidelines also provide practical advice on how applicants should fill in various sections of this form.

Please note that the RA registration guidance notes do not constitute legal advice. Applicants are encouraged to seek independent advice on how the relevant legislation applies to their particular circumstances.

The terms used in this application form are further defined in the [Act](https://www.legislation.gov.au/C2004A03679/latest/text) and the [Regulations](https://www.legislation.gov.au/F2003B00094/latest/text). The legislation can be found at [www.legislation.gov.au](http://www.legislation.gov.au).

If you require assistance or have any questions regarding this application process, please contact the Fair Work Commission general enquiries line on **1300 341 665** or email regorgs@fwc.gov.au

## Submitting this form

A signed copy of this form should be kept for your records.

Applications are to be submitted by email. Scan your completed and signed application form, certified true copies and any other relevant supporting documents, and email to: regorgs@fwc.gov.au

# Part A: Personal details

It is a requirement that you provide the following personal information.

1. **Have you previously applied to be registered as a registered auditor (RA)? (required)**

|  |  |  |
| --- | --- | --- |
| No | [ ]  | Go to **next question**.⏵ |
| Yes  | [ ]  | Provide application number below. ⏷ |

|  |  |
| --- | --- |
| RA application number |  |

1. **Name of applicant (required)**

|  |  |
| --- | --- |
| First name |  |
| Middle name(s) |  |
| Last name |  |

1. **Have you been known by any other name(s)? (required)**
* If ‘Yes’, you need to provide a certified copy of your name change document (e.g. marriage or name change certificate) or a statutory declaration and supporting documentation with your application.

|  |  |  |
| --- | --- | --- |
| No | [ ]  | Go to next question.⏵ |
| Yes  | [ ]  | Provide details below. ⏷ |

|  |  |
| --- | --- |
| Other name(s) |  |

1. **Do you reside in Australia? (required)**

|  |  |  |
| --- | --- | --- |
| No | [ ]  | Please note that the General Manager may refuse to grant the application (section255E(4) of the Act) |
| Yes  | [ ]  |  |

# Part B: Capacity

1. **In what capacity do you intend to practice? (required)**

|  |  |
| --- | --- |
| As an individual auditor | [ ]  |
| As an employee of a firm  | [ ]  |
| As an employee of a company | [ ]  |
| As a member of a firm  | [ ]  |
| As a director of a company | [ ]  |

1. **Company, firm or employer details (required if any)**
* Provide identification details for your company, firm or employer.

|  |  |
| --- | --- |
| Company name or trading name of your firm or employer |  |
| ABN |  |
| ACN |  |

1. **Business contact details (required)**
* Provide your business contact phone number and alternative contact number. Include area code, where applicable.

|  |  |
| --- | --- |
| Business contact number |  |

* Provide your business email address.

|  |  |
| --- | --- |
| Email address |  |

* Provide your business address.
* If your application for registration is successful, your business address will be published online on the Register of Registered Auditors.

|  |  |
| --- | --- |
| Address line 1 |  |
| Address line 2 |  |
| Address line 3 |  |
| Suburb/city |  |
| State/territory |  |
| Postcode |  |
| Country |  |

# Part C: Registered company auditor

1. **Are you currently a registered company auditor (RCA)? (required)**

|  |  |  |
| --- | --- | --- |
| No | [ ]  | This form is for individuals who are currently registered as an RCA. If you answered no to this question you must download and complete the form [Application for registration as a registered auditor by an individual who is not a registered company auditor.](https://regorgs.fwc.gov.au/sites/default/files/migration/205/af002-application-form-auditor-registration-not-an-rca.docx) |
| Yes  | [ ]  | Provide number below. ⏷🖈**You must provide a copy of your certificate of registration as an RCA.** |

|  |  |  |
| --- | --- | --- |
| Registered company auditor number |  | Go to **Declaration**. ⏵ |

# Part D: Declaration and signature

Under the Act, the General Manager can only grant an application for registration as an RA when satisfied that the applicant has complied with all requirements.

In order to assist applicants to correctly complete this application form, and to understand their obligations under the *Fair Work (Registered Organisations) Act 2009* and the *Fair Work (Registered Organisations)* *Regulations 2009*, the Commission has developed a Guidance Note: [Applying to become a registered auditor under section 255A of the *Fair Work (Registered Organisations) Act 2009*](https://regorgs.fwc.gov.au/sites/default/files/migration/444/gn001-applying-for-registration-as-an-ra-guidance-note.pdf)*.* It should be noted that the Guidance Notes do not constitute legal advice. Applicants are encouraged to seek independent advice to find out how the relevant legislation applies to their circumstances.

## Declaration

In submitting this application for registration as a registered auditor, I declare:

* I have read and acknowledge the information provided above.
* The information that I have supplied in this application (including any attachments) is complete, correct and up to date in every detail and in accordance with the Act and the Regulations.
* I am aware that giving false or misleading information is a serious offence. A person who:
	+ Knowingly or recklessly makes a false or misleading statement in an application for registration; or
	+ Knowingly gives false or misleading information in an application for registration

Is guilty of an offence, the punishment for which is imprisonment for up to 12 months (if a statement is made or information is provided knowingly) or up to six months (if a statement is made recklessly) – see Part 7.4, sections 136 and 137.1 of the *Criminal Code*.

* I will inform the General Manager of any changes to my details or circumstances as provided in this form.

## Consent

I consent to the Fair Work Commission contacting third parties and releasing information contained in this form (including any attachments) for the purpose of verifying the authenticity of the information provided.

|  |  |
| --- | --- |
| Printed name of applicant  |  |
| Signature  |  |
| Signature date |  |

|  |  |
| --- | --- |
|   | **Do not forget to provide a copy of your certificate of registration as an RCA with this form.** |

# Additional information

## Publishing of information

The *Fair Work (Registered Organisations) Regulations 2009* require that certain information from the Register of Registered Auditors be published.

If your application for registration is successful, the following information will be published on the Fair Work Commission website so that potential users are able to access RAs:

* Name
* Registration number
* Date registration was granted
* Status
* Address of the principal place of practice including city or town, state or territory, postcode and country
* Employer’s name, or, if self-employed through a company, the name of the company and its ACN

## Protection of information

The Fair Work Commission General Manager is bound by the *Privacy Act 1988*.

## Privacy statement

'Personal information', as defined in the *Privacy Act 1988*, means any information from which a person’s identity is apparent or can be reasonably ascertained.

Personal information collected in relation to this application will be used for the purpose of assessing the application, auditing compliance, enforcement of relevant laws and regulations and for related purposes.

## Disclosure of information

The General Manager and authorised staff are only able to disclose information relating to the affairs of a person (including personal information) collected in relation to this application in accordance with the *Fair Work (Registered Organisations) Act 2009,* the *Fair Work (Registered Organisations) Regulations 2009* or as otherwise required by law.

Those circumstances include:

* disclosure to the Minister;
* disclosure of summaries or statistics if those summaries or statistics are not likely to enable the identification of a person;
* disclosure to certain bodies where the General Manager is satisfied that disclosure will assist those bodies in the performance of their functions or powers, including the Fair Work Commission, the Australian Securities and Investments Commission and the Australian Competition and Consumer Commission;
* disclosure for the purposes of enforcement of the criminal law, enforcement of a law imposing a pecuniary penalty or for protection of the public revenue, if the General Manager is satisfied that disclosure is reasonably necessary for such purpose; and
* disclosure of information in accordance with an application made by a person to inspect a document lodged with the General Manager, in accordance with Regulation 20 of the *Fair Work (Registered Organisations) Regulations 2009*.

Unless obliged by law to provide personal information, the Commission will take steps to redact (i.e. black out) personal information such as dates of birth, account details and home addresses.

## Accessibility disclaimer

The General Manager has worked to ensure that this document is accessible but please contact us to obtain an alternative version if you are having difficulty or you have specific accessibility needs.

Please call **1300 341 665** or email regorgs@fwc.gov.au with the name of the form and your needs.