



## About the F69 application form

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### **Application for a certificate of conscientious objection to membership of an association**

#### **Who can use this form**

Use this form if your conscientious beliefs do not permit you to join an association of employers or employees as described in s.18 of the [Fair Work \(Registered Organisations\) Act 2009](#) (RO Act) and you are:

- a person who is an employer or is otherwise eligible to join an organisation of employers, or
- a person who is an employee or is otherwise eligible to join an organisation of employees.

and you want to apply to obtain a certificate to that effect from the General Manager of the Fair Work Commission (General Manager).

#### **About applications concerning a conscientious objection to membership of an association**

The General Manager must issue a certificate of conscientious objection to membership of an association, if an application is made by a person, in accordance with reg. 128 of the [Fair Work \(Registered Organisations\) Regulations 2009](#) (RO Regulations) and the prescribed fee is paid (equivalent to the annual subscription that would be payable if the person were a member of the organisation: RO Act s.180).

A certificate will remain in force for the period specified in the certificate (but not for more than 12 months). A certificate may be renewed by the General Manager for such period considered appropriate (see Form 70). It is not possible to appeal to the Fair Work Commission (the Commission) a decision of the General Manager to issue a certificate (RO Act s.180(2)).

The General Manager may revoke a certificate on becoming aware of a matter that was not known when the certificate was issued (s.183(3)). The General Manager will provide a person with an opportunity to explain why the certificate should not be revoked, before a decision to revoke is made. (s.180(4)).

## Lodging your completed form

Lodge with the Commission:

- this application**, and
- a **declaration** signed by the Applicant supporting the statements made in the application (see question 1.2 and reg. 128(1)(a) of the RO Regulations).

You can lodge by:

- email to [regorgs@fwc.gov.au](mailto:regorgs@fwc.gov.au), or
- post or in person at the [Commission's office](#) in your state or territory.

## Where to get help

### Commission staff & resources

Commission staff cannot provide legal advice. However, staff can give you information on:

- processes in the Commission
- how to make an application to the Commission
- how to fill out forms
- where to find useful documents such as legislation and decisions
- other organisations that may be able to assist you.

The Commission's website [www.fwc.gov.au](http://www.fwc.gov.au) also contains a range of information that may assist.

### Throughout this form



This icon appears throughout the form. It indicates information to help you answer the question following.

### Legal or other representation

Representation is where another person (such as a lawyer or paid agent, or an employee of a union or employer organisation) speaks or acts on a person's behalf, or assists a person in certain other ways in relation to a matter before the Commission. There is no requirement to be represented at the Commission.

There are some restrictions on representation by a lawyer or paid agent.

Generally, a person must give notice to the Commission (by lodging a Form F53 – Notice that a person: (a) has a lawyer or paid agent; or (b) will seek permission for a lawyer or paid agent to participate in a conference or hearing) and seek permission from the Commission Member dealing with the matter if they wish to have a lawyer or paid agent represent them by participating in a conference or a hearing.

Apart from participating in a conference or hearing, a person's lawyer or paid agent can represent them without permission, unless the Commission decides otherwise. For example, the lawyer or paid agent can prepare and lodge written applications, responses and submissions with the Commission, and communicate in writing with the Commission and other parties to the matter on the person's behalf.

The requirement to give notice and seek permission for a lawyer or paid agent to participate in a conference or hearing, does not apply if the lawyer or paid agent is:

- an employee or officer of the person or
- a bargaining representative that is representing the person or

- an employee or officer of an employee or employer organisation, or an association of employers or a peak council, that is representing the person.

Rule 13(2) of the [Fair Work Commission Rules 2024](#) sets out further exceptions to the requirement to give notice and seek permission.

For more information about representation by lawyers and paid agents, see section 596 of the [Fair Work Act 2009](#), rules 11, 12, 13 and 14 of the [Fair Work Commission Rules 2024](#) and the Commission's [practice note on representation by lawyers and paid agents](#).

## Glossary of common terms

**Applicant** – This is the association that is making the application.

**Interested person** – To be interested, a person must have an 'industrial interest' in the matter (see *Metropolitan Coal Co of Sydney Ltd v Australian Coal and Shale Employees Federation* (1917) 24 CLR 85). This may include an organisation member or an official from another organisation.

**Lawyer** – This is a person who is admitted to the legal profession by a Supreme Court of a State or Territory.

**Objector** – The person or party objecting to an application made by an Applicant.

**Paid agent** – In relation to a matter before the Commission, is an agent (other than a bargaining representative) who charges or receives a fee to represent a person in the matter.

**Party** – A party is a person, organisation or association involved in a matter or case that is brought to the Commission.

## Privacy

The Commission collects the information (including personal information) provided to it in this form for inclusion on the case file, and may disclose this information to the other parties to this matter and to other persons. For more details of the Commission's collection, use and disclosure of this information, please see the [Privacy notice](#) for this form, or ask for a hard copy to be provided to you.



**Remove this cover sheet** and keep it for future reference – it contains useful information.



## Form F69 – Application for a certificate of conscientious objection to the membership of an association

Fair Work (Registered Organisations) Act 2009, s.180, Fair Work (Registered Organisations) Regulations 2009, reg. 128, Fair Work Commission Rules 2024, rule 126

This is an application for a certificate of conscientious objection to the membership of an association lodged with the Fair Work Commission in accordance with s.180 of the *Fair Work (Registered Organisations) Act 2009* and reg. 128 of the *Fair Work (Registered Organisations) Regulations 2009*.

### The Applicant



These are the details of the person making an application for a certificate of conscientious objection to the membership of an association.

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name(s)			
Surname			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address			

**Note:** If you provide a mobile number the Commission may send reminders to you via SMS.

### How would you prefer us to communicate with you?

- Email (you will need to make sure you check your email account regularly)
- Post

### Does the Applicant need an interpreter?



If the Applicant has trouble accessing this information, please contact us. We can arrange to provide it in another format. You can find information about [help for non-English speakers](#) on our website.

- Yes – Specify language
- No

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**Does the Applicant require any special assistance at the hearing or conference (eg a hearing loop)?**

- Yes – Please specify the assistance required
- No

**Does the Applicant have a representative?**



A representative is a person or organisation who is representing the Applicant. This might be a lawyer or paid agent. There is no requirement to have a representative.

- Yes – Provide representative’s details below
- No – go to question 1.

**Applicant’s representative**



These are the details of the person or organisation who is representing the Applicant (if any).

Name of person			
Firm, organisation or company			
Representative’s ABN (if applicable)			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address			

**Is the Applicant’s representative a lawyer or paid agent?**

<input type="checkbox"/> Yes – please select:	<input type="checkbox"/> Lawyer
	<input type="checkbox"/> Paid agent
<input type="checkbox"/> No	

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**1. Grounds on which the application is made?**

**1.1 Set out the grounds on which your application is made.**

Using numbered paragraphs, set out the reasons why your conscientious beliefs do not allow you to be a member of the association.

Attach additional pages if necessary.

**1.2 Was a statutory declaration made by you to support the statements made in your application?**

You must complete a statutory declaration to accompany this application (RO Regulations, reg. 128(1)(b)). Is a copy of the declaration attached?

Yes

No

**Authority to sign and signature**



This application must be signed in accordance with regulation 13 of the RO Regulations.

If you are completing this form electronically and do not have an electronic signature, type your name in the signature field.

For Capacity/Position:

- if you are the Applicant – insert ‘Applicant’
- if you are an employee of a company or organisation that is the Applicant – insert your position title
- if you are the Applicant’s representative and have provided your details in this form – insert ‘Representative’.

<b>Signature</b>	
<b>Name</b>	
<b>Date</b>	
<b>Capacity/Position</b>	

**PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS**