



**Australian
Competition &
Consumer
Commission**

**Final Assessment of Certification Trade Mark Application 800486 lodged by the
Association of Payroll Specialists Pty Limited**

The Australian Competition and Consumer Commission (the Commission), in accordance with the requirements of the *Trade Marks Act 1995*, has completed its Final Assessment of the above Certification Trade Mark (CTM) application.

The Commission's Final Assessment is that it is satisfied that:

- (a) the approved certifiers are competent to certify the services in respect of which the CTM is to be registered;
- (b) the rules governing the use of the CTM would not be to the detriment of the public;
and
- (c) the rules governing the use of the CTM are satisfactory having regard to the principles relating to restrictive trade practices set out in Part IV of the *Trade Practices Act 1974* (the Act); the principles relating to unconscionable conduct set out in Part IVA of the Act; and the principles relating to unfair practices, product safety and product information set out in Part V of the Act.

Signed.......... (Commissioner)

Date.....16 JUNE 2003.....

CERTIFIED TRUE COPY
(for the Accel)

RULES GOVERNING THE USE OF THE TRADE MARK C.P.S.

The Association for Payroll Specialists Pty Limited ACN 002 852 762 (TAPS) is the applicant for Certification Trade Mark No 800486 C.P.S. (Trade Mark).

Use of the Trade Mark is permitted in accordance with these rules.

1. Definitions

Where commencing with a capital letter:

Accredited User means an Applicant who is granted a certificate in accordance with these rules.

Applicant means an individual who applies for permission to use the Trade Mark in relation to the Services.

Approved Certifier means a certifier as listed in the Manual from time to time.

Certificate means the certificate referred to in rule 4.

Manual means the manual referred to in rule 5.

Services mean payroll services.

TAPS means The Association for Payroll Specialists Pty Limited ACN 002 852 762.

Trade Mark means the trade mark the subject of application No 800486 C.P.S. for registration in Class 35 for payroll services.

2. Ownership

The Trade Mark is the property of TAPS and may not be used by any person other than in accordance with these rules.

3. Register

3.1 A Register will be kept by TAPS of Accredited Users who gain accreditation after 1 January 2003 and will contain the names, addresses and dates of accreditation of such Accredited Users and any other details considered by TAPS to be necessary.

3.2 The Register will be made available for inspection during normal business hours at the offices of TAPS as listed in the Manual.

4. Certificate

A Certificate will be granted to an Applicant who satisfies compliance in all respects with the requirements from time to time of TAPS for grant of the right to use the Trade Mark in relation to the Services.

5. Requirements for issue of Certificate

- 5.1 The standards for assessment and the initial and ongoing criteria against which an applicant will be evaluated are set out in the Manual.
- 5.2 The Manual may be amended from time to time.
- 5.3 Re-assessment of the skills of an Accredited User will be required from time to time as provided in the Manual.
- 5.4 It is the responsibility of the Accredited User to maintain his or her skills between assessments and the right is reserved to revoke accreditation at any time if skills are not maintained.
- 5.5 An Applicant will be evaluated against the standards for assessment and issued with one of three results:
 - (a) Full Approved Accredited Status (Applicant meets standards);
 - (b) Failed (Applicant has failed to pass the full assessment); and
 - (c) Suspended (A previously Accredited User has failed to meet the standard in one or more areas and has failed the assessment).
- 5.6 An Applicant who meets the standards will be granted with a Certificate.

6. Disputes and appeals procedure

- 6.1 An Applicant seeking reconsideration of a decision of an Approved Certifier must lodge a written request to TAPS seeking reconsideration within 14 days from receipt of notification.
- 6.2 The original decision must be reviewed by an Approved Certifier and the grounds for the decision, as reviewed, must be provided to the Applicant within 1 month of receipt by TAPS of the written request for reconsideration.
- 6.3 An unsuccessful Applicant may re-apply for permission to use the Trade Mark in relation to the Services.

7. Use of the Trade Mark

- 7.1 An Accredited User may use the Trade Mark in relation to the Services by placing it after his or her name and in no other manner.
- 7.2 The Trade Mark may only be represented as follows:

C.P.S.

- 7.3 In using the Trade Mark an Accredited User must not alter or add to it.

7.4 An Accredited User may use an additional trade mark in relation to payroll services but any such other trade mark must be clearly identified as separate from the Trade Mark and must not be used so as to suggest any connection with the Trade Mark.

8. Breach of rules

8.1 If an Accredited User breaches these rules, his or her Certificate is liable to be cancelled.

8.2 If an Approved Certifier makes a decision to cancel a Certificate, the Accredited User will be notified in writing of the decision. Cancellation of the Certificate will be effective from date of notification.

8.3 On notice of cancellation of his or her Certificate, an Accredited User must immediately cease using the Trade Mark.

9. Notices

9.1 Any notice given by or on behalf of TAPS in pursuance of these rules will be deemed to have been duly given if it is forwarded by prepaid letter addressed to the party concerned at the address on the register kept by TAPS referred to in rule 3.

9.2 Accredited Users and Applicants must advise TAPS of any change of address.

10. Fees

10.1 TAPS is entitled to charge fees at a level to be determined from time to time by TAPS in relation to administration, assessment, examination and other services and activities from time to time in relation to the Trade Mark and its use in relation to the Services.

10.2 The current fees are set out in the Manual.

11. Amendment

These rules may be amended, subject to the *Trade Marks Act 1995*.



C.P.S.

Manual



What's In It For An Employer?

The certificate will be seen as a benchmark for paystaff development and career progression. Employers should regard the certificate as a prerequisite when wishing to recruit experienced payroll practitioners in future.

What's In It For An Employee?

The certificate will be seen as a documentary evidence of having attained a national standard in payroll proficiency. It may be used to secure employment and improve career prospects in the payroll fields. Successful completion of the certificate entitles bearer to Accreditation C.P.S.

Examination Outline Certificate in Payroll Proficiency (1 Day)

This certificate is the benchmark for payroll proficiency. Upon successfully meeting the standards required in the examination the candidate is entitled to use the qualification C.P.S. after his/her name.

The examination tests all facets of payroll knowledge and is divided into the following 5 sections:

1.	General Payroll Knowledge	10%
2.	Award Interpretation	20%
3.	Annual Leave	10%
4.	Long Service Leave	10%
5.	Calculations	50%

The required pass mark is 60% in each section and 70% overall. The examination is assessed by training staff of TAPS.

Attendance is required for 1 full day with Lunch, Morning Tea and Afternoon Tea provided.

Because of the variations in Industrial Relations rules from one state to another, there will be some differences in the examinations set for each State.

How is it renewed?

The certification is valid for one year. Renewal is on the basis of a demonstrable commitment to increasing and maintaining payroll knowledge. This will be monitored by training staff of TAPS by way of a points system. One thousand points need to be achieved within a 12 month period.

Points are awarded as follows;

Resit the Payroll Proficiency Exam – 1000 points

Successfully complete a module of the Payroll Management Certificate – 500 points

Attend a TAPS one day Update Seminar – 400 points

Attend a TAPS one day Training Workshop – 350 points

Attend a TAPS three day Foundations Course – 350 points

Attend a TAPS Breakfast Training Meeting – 100 points

Attend a session of TAPS Annual Conference – 100 points