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## CLIENT REPORT: Exercise Instructor

**Similar Activities:** Aerobics Instructor, Yoga Instructor

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**Date of Enquiry:** 09/11/01 18:52:31

**Client Details**

**Session details:** <http://www.business.channel.vic.gov.au/4A256770000675C7/BLIS/115B6>

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This *Business Licence Information Service (BLIS)* **'Tailored Detailed Licences Report'** is divided into two sections:

1. **Licences Summary:** An index to the licences associated with the activities you indicated that your intended business will undertake.
2. **Licences Details:** Information on each of the licences, including legislation, application process, and who to contact.

This *detailed* report is based on legislated Victorian, Commonwealth and Local government licences, and is *tailored* to your individual business as a result of your selections made when you visited BLIS on the Business Channel website. You should also investigate any codes of practice or standards required for the operation of your business using the *Business Licence Information Service (BLIS)* by either telephoning the **Victorian Business Line Tel: 13 22 15**, or by revisiting **BLIS** at [www.business.channel.vic.gov.au/blis](http://www.business.channel.vic.gov.au/blis).

If your business involves Boxing or Martial Arts, you will need to review the licences for those activities separately to this report. When considering your business, you may wish to investigate insurance cover, and if there are any association memberships suitable for your industry. For licensing and business startup information use BLIS.

### Licences Summary

The following licences relate to the activities you indicated you wish to undertake.

#### 1. Play Protected Sound Recordings In Public

- 1.1 Licence for Public Performance of Protected Sound Recordings
- 1.2 Music Licences for Public Performance and Communication of Copyright Music

#### *Advertising, Entertainment & Promotion*

#### 2. Play Music Videos In Public

- 2.1 Licence for Public Exhibition of Music Video Clips
- 2.2 Licence for Public Performance of Protected Sound Recordings
- 2.3 Music Licences for Public Performance and Communication of Copyright Music

#### 3. Play Protected Sound Recordings In Public

- 3.1 Licence for Public Performance of Protected Sound Recordings
- 3.2 Music Licences for Public Performance and Communication of Copyright Music

#### 4. Place Hoardings And Advertising Signs

4.1 Permit To Erect An Advertising Sign On A Road Or Footpath

4.2 Permit to Erect Hoardings or Advertisements

## **5. Display or Distribute Handbills or Fliers or Pamphlets etc**

5.1 Permit To Distribute Handbills

### **Business Structure**

## **6. Operate As A Company**

6.1 Registration as an Australian Company

6.2 TFN Application/Enquiry - Company

6.3 Registration of a Business Name

6.4 Australian Business Number

6.5 Goods and Services Tax (GST) Registration

### **Employment Issues**

## **7. Employ Staff**

7.1 Employer Requirements - Superannuation Guarantee

7.2 Registration as a PAYG withholder

7.3 Victorian Workcover Licensing

## **Licences Details**

This part of the report provides specific details on each of the licences identified as being relevant to your activity.

### **1. Play Protected Sound Recordings In Public**

#### **1.1 Licence for Public Performance of Protected Sound Recordings**

**Description:** This is the licence required for Public Performance of Protected Sound Recordings, including the use of Music on Hold on a telecommunications system.

There are two copyrights in each record, the sound recording that embodies the song, lyric or composition, eg tape or compact disc, and the song, composition or lyric itself. This licence covers the first copyright, and authorises the holder to publicly perform all sound recordings controlled by any of the members of the Phonographic Performance Company of Australia Ltd. Generally it is necessary to license the playing of protected recordings in any venue other than a private place for personal use.

**Agency:** Phonographic Performance Company of Australia Ltd  
**Division:** Licensing Department  
**Contact:** Licensing Manager  
**Telephone:** 02 92677877  
**Toll Free:**  
**Email:** ppca@ppca.com.au

**Duration:** Annual with provision for one off special licences

#### **For initial application -**

**Fees:** Variable according to use of licence

**Application Forms:** Application in writing following discussion with the Licensing Department regarding details to be submitted.

**Associated Documents:**

Pamphlet: Phonographic Performance Company of Australia Ltd

**Lodgement Documentation:****1.2 Music Licences for Public Performance and Communication of Copyright Music****Description:**

An APRA licence is required to legally authorise the public performance or communication of copyright music. Businesses using music, or music on hold, on their premises are required to pay the appropriate licence fee to APRA. Licence fees are then distributed to their members, ie song writers and their publishers who are the copyright owners.

**Agency:**

APRA (Australasian Performing Right Association Limited)

**Division:**

General Performance Licensing Department

**Contact:**

Licensing Manager

**Telephone:**

03 94265200

**Toll Free:****Email:**

licence@apra.com.au

**Duration:**

1 year

***For initial application -*****Fees:**

Licence fees can start from as little as \$42.13 inc GST

**Application Forms:**

Music Licence for Public Performance Broadcast or Diffusion  
Background Music / Music on Hold Licence Application

**Associated Documents:**

Music Licences for Public Performance Broadcast or Diffusion  
Music in Your Business: What you need to know

**Lodgement Documentation:**

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**2. Play Music Videos In Public****2.1 Licence for Public Exhibition of Music Video Clips****Description:**

The public exhibition of music video clips is illegal unless a licence has first been obtained from the owner or exclusive licensee of the video clip. The Phonographic Performance Company of Australia licenses the public exhibition of music video clips on a one-stop licence basis, or alternatively, can arrange separate licences with specific owners as requested.

**Agency:**

Phonographic Performance Company of Australia Ltd

**Division:**

Licensing Department

**Contact:**

Licensing Manager

**Telephone:**

02 92677877

**Toll Free:****Email:**

ppca@ppca.com.au

**Duration:** Annual with provision for one-off special licences

***For initial application -***

**Fees:** Variable according to use of licence

**Application Forms:** - available from the Phonographic Performance Company of Australia Ltd

**Associated Documents:** Pamphlet: Phonographic Performance Company of Australia Ltd

**Lodgement Documentation:**

## **2.2 Licence for Public Performance of Protected Sound Recordings**

Please refer to Licence Details: 1.1

## **2.3 Music Licences for Public Performance and Communication of Copyright Music**

Please refer to Licence Details: 1.2

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## **3. Play Protected Sound Recordings In Public**

### **3.1 Licence for Public Performance of Protected Sound Recordings**

Please refer to Licence Details: 1.1

### **3.2 Music Licences for Public Performance and Communication of Copyright Music**

Please refer to Licence Details: 1.2

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## **4. Place Hoardings And Advertising Signs**

### **4.1 Permit To Erect An Advertising Sign On A Road Or Footpath**

**Description:** This Permit is required to erect or place an advertising sign on a road or to cause or authorise another person to do so. Advertising signs include a vehicle designed for the sole purpose of advertising.

**Agency:** City of Melbourne  
**Contact:** City Liaison And Permits Team  
**Telephone:** 03 9658 9658  
**Toll Free:**  
**Email:** enquiries@melbourne.vic.gov.au

**Duration:** Monthly

***For initial application -***

**Fees:** \$50

**Application Forms:** Application for a Portable Advertising Board Permit

**Associated Documents:** Conditions of Issue and Use for Portable Advertising Boards

**Lodgement Documentation:** Applicant should consult Local Government Authority regarding details to be submitted in addition to application

## **4.2 Permit to Erect Hoardings or Advertisements**

**Description:** Any business erecting hoardings or signs near a declared road requires approval from the local Municipal Council. The Council will seek input from VicRoads where necessary. In built up areas signs must not contravene road safety or aesthetic requirements. In rural areas only signs on properties to which they refer are permitted. The Municipal Office or Vic Roads regional offices can be contacted to establish if a road is declared. Further information is available on the website:  
<http://www.vicroads.vic.gov.au/road/index.htm>

**Agency:** Statutory Body - Infrastructure

**Division:** VicRoads - Roads Corporation

**Contact:** Licensing Officer

**Telephone:** 03 9854 2666

See Vic Roads website or Yellow Pages for details of the metropolitan and regional offices and licensing agencies addresses: <http://www.vicroads.vic.gov.au/road/index.htm>

**Toll Free:**

**Email:**

**Duration:** Various depending on applicants requirements.

***For initial application -***

**Fees:** No fees charged.

**Application Forms:** Contact the agency for further information.

**Associated Documents:**

**Lodgement Documentation:**

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## **5. Display or Distribute Handbills or Fliers or Pamphlets etc**

### **5.1 Permit To Distribute Handbills**

**Description:** This permit is required to display, hand out or distribute handbills, notices, pamphlets, fliers or any other form of advertising or promotional material.

**Agency:** City of Melbourne  
**Contact:** City Liaison And Permits Team  
**Telephone:** 03 9658 9658  
**Toll Free:**  
**Email:** enquiries@melbourne.vic.gov.au

**Duration:** As designated

***For initial application -***

**Fees:** Annual administration fee: \$50. Daily fee: \$5 per location/per person

**Application Forms:** Application for Handbill Permit

**Associated Documents:** Applicant should consult Local Government Authority regarding any associated documents that may be available

**Lodgement Documentation:** Applicant should consult Local Government Authority regarding details to be submitted in addition to application

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## **6. Operate As A Company**

### **6.1 Registration as an Australian Company**

**Description:** Under the Corporations Act 2001 and Corporations Regulations 2001, Australian public or proprietary companies must be registered as companies with the Australian Securities and Investments Commission (ASIC). The reservation of a company name enables an applicant to reserve their proposed company name for a period of 2 months. An application for reservation of a company name is optional.

**Agency:** Australian Securities & Investments Commission  
**Division:**  
**Contact:** ASIC Info Line  
**Telephone:**  
**Toll Free:** 1300 300630  
**Email:**

**Duration:** Ongoing - Annual returns required

***For initial application -***

**Fees:** Application for the reservation of a name: \$36; an application under sub-section 118 (1) for the registration of a company: (a) having share capital \$720; (b) not having share capital \$300.

**Application Forms:** Registration as an Australian Company  
 Registration as an Australian Company (Reservation of Name)  
 Application for registration as an Australian company - Form 201; Application for reservation of a name - Form 410

**Associated Documents:** Registration as an Australian Company (Constitution & Replaceable Rules)  
 Registration as an Australian Company (Registration of Companies)  
 Registration as an Australian Company (The Watchdog Guide)  
 Information Sheet - Constitution and Replaceable Rules; Information Sheet - Registration of Companies; The Watchdog's Guide

**Lodgement Documentation:**

## 6.2 TFN Application/Enquiry - Company

**Description:** A tax file number is a unique number issued by the Tax Office for all entities with a potential income tax role. Its primary purpose is to identify the clients (individuals and business entities) in all dealings with the Tax Office.

**Agency:** Australian Taxation Office  
**Division:**  
**Contact:** Taxation Enquiry Officer  
**Telephone:** 132861  
**Toll Free:**  
**Email:**

**Duration:** Ongoing

### *For initial application -*

**Fees:** Nil

**Application Forms:** Application to Register for the New Tax System - available  
[http://www.business.gov.au/html/abn\\_registration.asp](http://www.business.gov.au/html/abn_registration.asp) .

**Associated Documents:** Tax File Number Application or Enquiry - Company  
 Tax File Number Application or Enquiry - Company (Employers Responsibility)  
 Additional information available from  
<http://www.taxreform.ato.gov.au/busihome/index.htm> .

**Lodgement Documentation:**

## 6.3 Registration of a Business Name

**Description:** A business name must be registered when a person or persons conduct business under a name other than their own name/s; for example, Bob & Mary Smith can conduct business under this name or B. & M. Smith without registration. However if they use B. & M. Smith Motors or any other like name, it is a business name which must be registered. Further information is available on <http://www.cbav.vic.gov.au>

**Agency:** Department of Justice  
**Division:** Consumer and Business Affairs Victoria  
**Contact:** Customer Service Officer

**Telephone:** 03 9627 6200  
**Toll Free:** 1800 240 251  
**Email:**

**Duration:** A Business Name is registered for three years.

***For initial application -***

**Fees:** \$70.00

**Application Forms:** Registration of a Business Name  
It is possible to register by visiting in person - Level 2, 452 Flinders Street, Melbourne, Victoria 3000 (9am - 4pm Monday to Friday)

**Associated Documents:**

**Lodgement Documentation:**

## **6.4 Australian Business Number**

**Description:** Australian businesses may require an Australian Business Number (ABN) as part of the New Tax System which commences on 1 July 2000. The ABN is a single identifier designed to simplify business dealings with government. It will eventually replace the Australian Company Number (ACN) and the Australian Registered Body Number (ARBN), and will be required to obtain registration for GST credits. Contact your local Tax Office for more details. - available via website <http://www.business.gov.au>

**Agency:** Australian Taxation Office  
**Division:**  
**Contact:** Tax Reform Infoline  
**Telephone:** 132478  
**Toll Free:**  
**Email:**

**Duration:** Ongoing

***For initial application -***

**Fees:** Nil

**Application Forms:**  
- available from <http://www.business.gov.au> website or your local Tax Agent.

**Associated Documents:**

**Lodgement Documentation:**

## **6.5 Goods and Services Tax (GST) Registration**

**Description:** If you are an entity that is carrying on an enterprise (which includes a business) which has an annual turnover of \$50 000 or more, or you supply taxi travel as part of carrying out your enterprise, you must register for Goods and Services Tax (GST). Non-profit



organisations with an annual turnover of \$100 000 or more must also register. In order to register for GST, entities will require an Australian Business Number (ABN). Entities conducting an enterprise with an annual turnover of less than \$50 000 (less than \$100 000 for non-profit organisations) may choose to register for GST. By registering for GST you can claim input tax credits for the GST included in the price of things bought for the operation of your enterprise, provided they meet certain conditions

**Agency:** Australian Taxation Office  
**Division:**  
**Contact:** Tax Reform Infoline  
**Telephone:** 132478  
**Toll Free:**  
**Email:**

**Duration:** Until cancelled

***For initial application -***

**Fees:**  
**Application Forms:** Available from [www.business.gov.au](http://www.business.gov.au) website or your local Tax Agent.  
**Associated Documents:**

**Lodgement Documentation:**

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## **7. Employ Staff**

### **7.1 Employer Requirements - Superannuation Guarantee**

**Description:** Under the Superannuation Guarantee (SG) legislation, all employers must provide a prescribed minimum level of superannuation support for each eligible employee by 28 July each year. Where an employer does not provide the minimum level of superannuation by this date they must lodge a SG Statement and pay the SG charge to the Tax Office, made up of an employer's SG shortfalls, an interest component and an administration fee. The SG charge must be paid by 14 August each year if an insufficient level of super is provided.

**Agency:** Australian Taxation Office  
**Division:** Superannuation Business Line  
**Contact:** Superannuation Guarantee  
**Telephone:** 131020  
**Toll Free:**  
**Email:**

**Duration:** N/A

***For initial application -***

**Fees:** N/A

**Application Forms:**

Superannuation Guarantee Statement - available from the Australian Taxation Office.

**Associated Documents:** Employer Requirements - Superannuation Guarantee Scheme (Checklist)

Employer Requirements - Superannuation Guarantee Scheme (Employer)

Employer Requirements - Superannuation Guarantee Scheme (Obligations)

The Superannuation Guarantee - who is an employer?; Superannuation Guarantee - employer obligations ; An Employer's Checklist - The Superannuation Guarantee

**Lodgement Documentation:**

## **7.2 Registration as a PAYG withholder**

**Description:** Pay As You Go (PAYG) is a single, integrated system for reporting and paying withholding amounts and tax on business and investment income. It brings together instalments and withholding obligations. Under PAYG, your income tax instalments will be based on your current trading or income conditions and will generally be paid after the income is received. Your withholding obligations relate to amounts you withhold from payments to others, such as wages, which you then remit to the ATO. Withholding will also apply where - payments are made to a worker from a labour hire firm (for work performed for a client of the labour hire firm) - payments are covered by a voluntary agreement in the approved form, to an individual who has an Australian Business Number (ABN), and - payments are made for supplies between two businesses where the recipient of the payment does not quote an ABN on an invoice or in some other manner.

**Agency:** Australian Taxation Office

**Division:**

**Contact:** Tax Reform Infoline

**Telephone:** 132478

**Toll Free:**

**Email:**

**Duration:** Ongoing

***For initial application -***

**Fees:** Nil

**Application Forms:**

Add a New Business Account available from [www.business.gov.au](http://www.business.gov.au) website or your local Tax Agent..

**Associated Documents:**

**Lodgement Documentation:**

## **7.3 Victorian Workcover Licensing**

**Description:** The Victorian Workcover Authority is the statutory authority responsible for managing

workplace health and safety, public safety and workers' compensation in Victoria. As the State's regulator of workplace health and safety, Workcover's mission is to make all workplaces free from injury and disease.

Workcover provides health and safety advice and assistance in Victorian Workplaces and prosecutes breaches of health and safety laws.

Through its agents, Workcover pays benefits to injured workers, collects premiums, manages compensation claims and provides return to-work and risk management advice. Workcover also monitors and audits the agents who are paid on a performance basis.

The website is: <http://www.workcover.vic.gov.au>

**Agency:** Statutory Body - Treasury and Finance  
**Division:** Victorian Workcover Authority  
**Contact:** Field Officer  
**Telephone:** Contact appropriate Zone Office:  
Melburne 03 9628 8111; Geelong 03 5223 2300; Mulgrave 03 9564 9444; Preston 03 9485 4555; Ballarat 03 5331 8388; Bendigo 03 5443 8866; Mildura 03 5021 4001; Shepparton 03 5821 6724, Traralgon 03 5174 8900; Wangaratta 03 5721 8588; Warrnambool 03 5562 5600.

**Toll Free:**

**Email:** [info@workcover.vic.gov.au](mailto:info@workcover.vic.gov.au)

**Duration:** Dependent on licence applied for

***For initial application -***

**Fees:** Contact the agency for details of fees

**Application Forms:** Contact the agency for further information on application procedures

**Associated Documents:**

**Lodgement Documentation:**

**Thank You for Your Enquiry**

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***Other Things to Note:***

**Transacting by Measurement** : If your business will involve the sale or legal transfer of goods or service by measurement eg goods packed and sold by weight, volume, length, length, area or number, or if servicing/operating scales or other measuring devices, then you will need to contact [Trade Measurement Victoria www.tmv.vic.gov.au](http://www.tmv.vic.gov.au) **(03) 9651 7813** or your **local authorised officer 1300 365 500** (local call cost only).

**Environment Pollution:** If your business will cause discharge or deposits of waste to the atmosphere (air), land or water, emit noise, or handle ozone depleting substances eg in

refrigerators, then you will need to contact the [Environment Protection Authority](http://www.epa.vic.gov.au) [www.epa.vic.gov.au](http://www.epa.vic.gov.au) on (03) 9695 272.

**Business Licence Information Service (BLIS):** For a general overview ask for the *Factsheet: Business Licence & Registration Overview* AND the *Factsheet: Business Codes & Standards Overview* by telephoning the [Victorian Business Line](http://www.business.channel.vic.gov.au/blis) on 13 22 15 or visit [www.business.channel.vic.gov.au/blis](http://www.business.channel.vic.gov.au/blis) and create the reports using 1. *Overview Reports - Licences and Codes of practice*.

### ***Further Questions?***

This report provides details the government licences required for your particular individual business activity. In addition there may be other laws, regulations, codes of practice (government and industry), or standards, that you will need to consider in the establishment of your business. **Check with your legal adviser** for more details. Be aware that licensing agencies have varying process time for applications, that you will need to take into consideration in your business planning.

The *Victorian Business Line* also provides a range of information and services related to the establishment or operation of your business e.g. business planning, marketing, cashflow, commercial leases, codes of practice requirements, etc.

For other business related information and services, check out the **Business Channel** [www.business.channel.vic.gov.au](http://www.business.channel.vic.gov.au) or call the **Victorian Business Line 13 22 15** . If you wish to return to BLIS for future review, please bookmark the website [www.business.channel.vic.gov.au/blis](http://www.business.channel.vic.gov.au/blis) .

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