



**Australian Government**  
**Registered Organisations Commission**

6 September 2021

Matthew McGowan  
General Secretary  
National Tertiary Education Industry Union

Sent via email: [national@nteu.org.au](mailto:national@nteu.org.au)  
[jhester@nteu.org.au](mailto:jhester@nteu.org.au)

Dear Matthew McGowan,

**Section 271 application for certificate of exemption from the requirements of Part 3 of Chapter 8 of the *Fair Work (Registered Organisations) Act 2009* (the Act) (FR2021/24 and others)**

I refer to the application lodged pursuant to section 271(1) of the Act by the various branches and division of the National Tertiary Education Industry Union (**NTEU**) for the financial year ended 30 June 2021. The application was lodged with the Registered Organisations Commission (**ROC**) on 31 August 2021.

I acknowledge the previous correspondence and meetings that have been held between the NTEU and the ROC to determine which branches and divisions of the NTEU satisfy the criteria under section 271 of the Act. Based on the application, which you have signed, I therefore infer you have undertaken a process to satisfy yourself that the branches and divisions included in the application have not had any financial affairs and the application is a true reflection of the events during the period 1 July 2020 – 30 June 2021.

The application has been granted. The certificate is attached.

If you wish to discuss this matter, please contact Kylie Ngo on (03) 9603 0764 or by email at [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'CE'.

**Chris Enright**  
**Executive Director**  
**Registered Organisations Commission**



# CERTIFICATE

*Fair Work (Registered Organisations) Act 2009*

s.271—Certificate of exemption from requirements of Chapter 8, Part 3

**National Tertiary Education Industry Union**

(FR2021/24 and others)

MR ENRIGHT

MELBOURNE, 3 SEPTEMBER 2021

*Certificate of exemption from the requirements of Part 3 of Chapter 8 of the Fair Work (Registered Organisations) Act 2009*

[1] On 31 August 2021 an application was made under s.271(1) of the *Fair Work (Registered Organisations) Act 2009* by the National Tertiary Education Industry Union for a certificate of exemption in respect of the financial year ended 30 June 2021 for the following branches and division of the National Tertiary Education Industry Union.

- FR2021/24 University of Canberra Branch
- FR2021/25 Monash University Branch
- FR2021/26 University of Melbourne Branch
- FR2021/27 Edith Cowan University Branch
- FR2021/28 Macquarie University Branch
- FR2021/29 La Trobe University Branch
- FR2021/30 Flinders University Branch
- FR2021/32 Griffith University Branch
- FR2021/33 Swinburne University of Technology Branch
- FR2021/34 South Australian Division
- FR2021/35 Southern Cross University Branch
- FR2021/36 University of Wollongong Branch
- FR2021/37 University of the Sunshine Coast Branch
- FR2021/38 Royal Melbourne Institute of Technology Branch
- FR2021/39 Royal Australian College of General Practitioners Branch
- FR2021/41 University of Queensland Branch
- FR2021/66 University of Western Australia Branch
- FR2021/67 Curtin University Branch
- FR2021/68 Charles Sturt University Branch
- FR2021/69 College of Law Branch
- FR2021/70 Deakin University Branch
- FR2021/71 Australian Catholic University Branch
- FR2021/72 University of Adelaide Branch
- FR2021/73 Murdoch University Branch

FR2021/111 University of South Australia Branch  
 FR2021/112 University of Newcastle Branch  
 FR2021/113 University of New England Branch  
 FR2021/116 Australian National University Branch  
 FR2021/118 University of Technology, Sydney Branch  
 FR2021/120 Western Sydney University Branch  
 FR2021/121 University of Southern Queensland Branch  
 FR2021/124 University of Sydney Branch  
 FR2021/125 Queensland University of Technology Branch  
 FR2021/200 James Cook University Branch  
 FR2021/206 Federation University Australia Branch  
 FR2021/221 University of Notre Dame Australia Branch  
 FR2021/225 Victoria Adult and Community Education (ACE and Companies)  
 Branch  
 FR2021/226 Victorian TAFE Branch  
 FR2021/230 NAVITAS Branch  
 FR2021/231 Research Institute Branch

[2] In considering this application, I have taken into account the relevant circumstances prescribed in Regulation 165 of the *Fair Work (Registered Organisations) Regulations 2009* including (a) whether the reporting units expended economic resources or incurred any financial obligations to conduct their activities, (b) whether another reporting unit of the organisation expended its own economic resources or incurred financial obligations to enable the reporting units listed above to conduct their activities and (c) whether any person or body corporate or trust expended its own economic resources or incurred financial obligations to enable the reporting units listed to conduct their activities.

[3] Having regard to the relevant circumstances and the material contained in the application, I am satisfied that these reporting units did not have any financial affairs in respect of the financial year ended 30 June 2021.



DELEGATE OF THE COMMISSIONER

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Registered Organisation Commission  
Level 4, 11 Exhibition Street  
MELBOURNE VIC 3001

31 August 2021

**RE: Application for exemption certificate - Financial Reporting Obligations under Fair Work (Registered Organisations) Act 2009 - (Section 271)**

I, Matthew McGowan, being the General Secretary of the National Tertiary Education Industry Union, in accordance with Rule 7(d) of Schedule G of the National Tertiary Education Industry Union rules, make this application at the request of and on behalf of the following reporting units of the National Tertiary Education Industry Union (NTEU) set out in the attached list.

In consideration of Section 271 of the Act I apply for a certificate to exempt the Branches and Divisions of the NTEU from the requirements relating to financial matters occurring in the year ending 30 June 2021.

In support of the application I state:

1. On and from 30 June 2008, by force of Schedule G Section 3 of the NTEU rules it is not possible for any Branch or Division of the NTEU to have any financial affairs.
  - a. For the year ending 30 June 2021, the ROC have deemed the that above ruling does not satisfy the requirements of s.271, and has concluded that Financial Affairs exist at some of the NTEU branches. These branches have been excluded from this application.
2. As a question of fact, from 30 June 2008, the assets and liabilities of each of the Branches and Divisions have transferred to the custody and control of the "NTEU Fund", and income and expenditure are respectively received into and disbursed from that fund.

Yours sincerely,



Matthew McGowan  
**General Secretary**

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**Reporting Units of the NTEU for which exemption is sought**

**NTEU DIVISIONS**

*South Australian Division*

**NTEU BRANCHES**

*Australian Catholic University Branch*

*Australian National University Branch*

*Charles Sturt University Branch*

*College of Law Branch*

*Curtin University Branch*

*Deakin University Branch*

*Edith Cowan University Branch*

*Federation University Australia Branch*

*Flinders University Branch*

*Griffith University Branch*

*James Cook University Branch*

*La Trobe University Branch*

*Macquarie University Branch*

*Monash University Branch*

*Murdoch University Branch*

*Queensland University of Technology Branch*

*RACGP/GPEA Branch*

*RMIT University Branch*

*Southern Cross University Branch*

*Swinburne University Branch*

*University of Adelaide Branch*

*University of Canberra Branch*

*University of Melbourne Branch*

*University of New England Branch*

*University of Newcastle Branch*

*University of Notre Dame Australia*

*University of Queensland Branch*

*University of South Australia Branch*

*University of Southern Queensland Branch*

*University of Sunshine Coast Branch*

*University of Sydney Branch*

*University of Technology, Sydney - Branch*

*University of Western Australia Branch*

*University of Western Sydney Branch*

*University of Wollongong Branch*

*Victoria Adult and Community Education (ACE) and Companies branch*

*Victorian TAFE Branch*

*Navitas Branch*

*Research Institutes Branch*

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