



23 April 2014

Mr Tim Ayres

NSW State Secretary, "Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU) - New South Wales Branch

By email: [tim.ayres@amwu.asn.au](mailto:tim.ayres@amwu.asn.au)

Cc Mr Warren Soos - AMWU National Operations Co-ordinator

By email: [warren.soos@amwu.asn.au](mailto:warren.soos@amwu.asn.au)

Mr Neville Sinclair - Grant Thornton Audit Pty Ltd

By email: [neville.sinclair.au@gt.com](mailto:neville.sinclair.au@gt.com)

Dear Mr Ayres,

**"Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU) - New South Wales Branch  
Financial Report for the year ended 30 September 2013 - [FR2013/395]**

I acknowledge receipt of the financial report of the "Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU) - New South Wales Branch. The documents were lodged with the Fair Work Commission on 4 March 2014.

The financial report has now been filed. You are not required to take any further action in respect of the report lodged.

The financial report was filed based on a primary review. This involved confirming that the financial reporting timelines required under s.253, s.265, s.266 and s.268 of the *Fair Work (Registered Organisations) Act 2009* (RO Act) have been satisfied, all documents required under s.268 of the RO Act were lodged and that various disclosure requirements under the Australian Accounting Standards, RO Act and reporting guidelines have been complied with. A primary review does not examine all disclosure requirements.

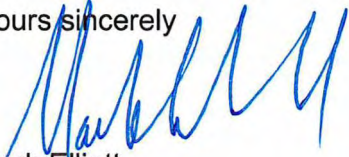
Notwithstanding the fact that the financial report has been filed, I draw the following matter to your attention and to that of your auditor.

**Auditor's report: declaration regarding going concern**

Paragraph 45 of the reporting guidelines requires an auditor to include in the auditor's statement a declaration that as part of the audit of the financial statement they have concluded that management's use of the going concern basis of accounting in the preparation of the reporting unit's financial statements is appropriate. This declaration was not included in the auditor's statements.

If you have any queries regarding this letter, please contact me on (03) 8661 7899 or via email at [mark.elliott@fwc.gov.au](mailto:mark.elliott@fwc.gov.au) .

Yours sincerely



Mark Elliott

Regulatory Compliance Branch



**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING AND  
KINDRED INDUSTRIES UNION**

**NEW SOUTH WALES STATE COUNCIL**

**CERTIFICATE OF STATE SECRETARY**

I, Tim Ayres, being the State Secretary of the Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union New South Wales State Council certify:

- that the documents lodged herewith are copies of the Full Report, referred to in section 268 of the Fair Work (Registered Organisations) Act 2009; and
- that the Full Report was provided to members between the dates 13<sup>th</sup> January 2014 to 15<sup>th</sup> January 2014; and
- that the Full Report was presented to a meeting of the Committee of Management of Automotive, Food, Metals, Engineering, Printing and Kindred Industries New South Wales State Council on 27<sup>th</sup> February 2014 in accordance with section 266(3) of the Fair Work (Registered Organisations) Act 2009.

NSW State Secretary  
Tim Ayres

Signature

27<sup>th</sup> February 2014

**Australian Manufacturing  
Workers' Union**  
(Registered as AFMEPKIU)  
**NSW STATE OFFICE**  
133 Parramatta Rd  
PO Box 167  
GRANVILLE NSW 2142  
TELEPHONE 02 9897 4200  
FACSIMILE 02 9897 2219  
amwunsw@amwu.asn.au

**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED  
INDUSTRIES UNION**

**NSW BRANCH**

**FINANCIAL REPORT FOR THE YEAR ENDED 30 SEPTEMBER 2013**

**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES  
UNION**

**NSW BRANCH**

**CONTENTS**

	<b>Page</b>
Operating Report	1
Committee of Management Statement	7
Statement of Comprehensive Income	9
Statement of Financial Position	10
Statement of Changes in Accumulated Funds and Reserves	11
Statement of Cash Flows	12
Notes to and forming part of the Financial Report	13
Independent Audit Report	23

# **AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES UNION**

## **NSW BRANCH**

### **OPERATING REPORT**

The State Council, being the Committee of Management for the purposes of the Fair Work (Registered Organisations) Act 2009, presents its operating report of the Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union, NSW Branch for the financial year ended 30 September 2013.

The operational name for the Automotive Food Metals Engineering Printing and Kindred Industries Union is the Australian Manufacturing Workers' Union (AMWU).

#### **Review of the State's Principal Activities**

The AFMEPKIU's principal industrial objectives are aimed at the improvement of wages and working conditions for members throughout industry. This has been done primarily by way of industrial awards and enterprise agreements. The AFMEPKIU has also been active in trying to influence governments at all levels in a wide range of political issues.

#### **Significant Changes in Principal Activities**

There were no significant changes in the nature of the Branch's principal activities during the financial year.

#### **Results of Principal Activities**

During the year to 30 September 2013 the AFMEPKIU negotiated and registered 808 enterprise bargaining agreements nationally, 124 of which were from NSW.

The AFMEPKIU's National Office is responsible for applying to improve industrial awards covering our members. During the year ending 30 September 2013 the National Office improved award minimum rates for all workers, gained a significant increase for apprentices, and inserted new classifications, allowances and pay rates in some of the modern awards covering our members. The State Branch is responsible for advising members in their State of these gains and ensuring members receive the appropriate wage.

The AFMEPKIU NSW State Branch's principal activities resulted in a surplus for the financial year of \$30,175.

#### **Significant Changes in Financial Affairs**

There were no significant changes in the financial affairs of the Branch during the financial year.

**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES UNION**

**NSW BRANCH**

**OPERATING REPORT (cont'd)**

**The Right of Members to Resign**

Rule 43(8) of the AFMEPKIU Rules states that a member may resign his/her membership by notifying his/her State Secretary in writing, addressed and delivered to that officer.

A notice of resignation from membership takes effect:

- (a) Where the member ceases to be eligible to become a member of the organisation:
  - (i) On the day on which the notice is received by the organisation; or
  - (ii) On the day specified in the notice, which is a day not earlier than the day when the member ceases to be eligible to become a member;

whichever is later; or

- (b) In any other case:
  - (i) At the end of two weeks, after the notice is received by the organisation; or
  - (ii) On the day specified in the notice;

whichever is later.

Any dues payable but not paid by a former member of the organisation, in relation to a period before the member's resignation from the organisation took effect, may be sued for and recovered in the name of the organisation, in a court of competent jurisdiction, as a debt due to the organisation.

A notice delivered to the State Secretary shall be taken to have been received by the organisation when it is delivered.

A notice of resignation that has been received by the organisation is not invalid because it was not addressed and delivered to the State Secretary.

A resignation from membership is valid even if it is not effected in accordance with this Rule if the member is informed in writing by or on behalf of the organisation that the resignation has been accepted.

Nothing in Rule 43(8) of the AFMEPKIU Rules interferes with a member's right to resign from the union as set out under section 174(1) of the Fair Work (Registered Organisations) Act 2009. In accordance with section 174(1) of the Fair Work (Registered Organisations) Act 2009 a member of an organisation may resign from membership by written notice addressed and delivered to a person designated for the purpose in the rules of the organisation or a branch of the organisation.

**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES UNION**

**NSW BRANCH**

**Statement of Key Relationships, Salaries, Board Fees, and Associated Entities**

Salaries

The NSW Branch's top five salary rates are as follows:

<b>Level</b>	<b>Position</b>	<b>Per Annum</b>
4	Organiser	\$74,880.00
5	Senior Organiser	\$78,618.80
6	Team Leader/Assistant State Secretary Level 1	\$82,581.20
7	Assistant State Secretary Level 2	\$88,337.60
8	State Secretary	\$93,511.60

Board Fees

Board Fees received by the NSW Branch on behalf of employees who are members of external boards, are as follows:

<b>Organisation</b>	<b>Amount received</b>
AUSCOAL	\$38,437.47
Mechanical and Electrical Redundancy Trust	\$500.00
Construction & Building Industry Super	\$689.62
Workers Compensation Dust Diseases Board	\$10,385.89

Associated Entities

The AFMEPKIU NSW Branch is not involved with any associated entity over which it has controlling or significant influence.



**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES UNION**

**NSW BRANCH**

**OPERATING REPORT (cont'd)**

Key Relationships

The AFMEPKIU NSW State Branch has developed key relationships over a long period with a number of suppliers of various goods and services. These relationships are conducted on normal commercial terms, and are periodically tested against market price:

<b>Supplier</b>	
<b>Financial Services</b>	<b>Travel Services</b>
GRANT THORNTON AUDIT	AMERICAN EXPRESS
GIO WORKERS COMPENSATION (NSW)	QANTAS
WARREN SAUNDERS INSURANCE BROKERS	
<b>Legal Services</b>	<b>Vehicle Services</b>
TURNER FREEMAN LAWYERS	BODYWORKS SMASH REPAIRS
<b>Printing &amp; Publicity Services</b>	CUSTOM SERVICE LEASING PTY LTD
STAPLES AUSTRALIA PTY LIMITED	
ESSENTIAL MEDIA COMMUNICATIONS	
G & G TRADE PUBLISHING & DISTRIBUTION	
LIFESTYLE AUSTRALIA PTY LTD	

State Officers or Members who are Trustees of a Superannuation Entity

The details of each officer or member of the NSW Branch who is a trustee of a superannuation entity or an exempt public sector superannuation scheme or a director of a company that is a trustee of a superannuation entity or an exempt public sector superannuation scheme; and where a criterion for the officer or member being the trustee or director is that the officer or member is an officer or member of a registered organisation, are as follows:

<b>Name of officer or member</b>	<b>Superannuation Fund</b>	<b>Position Held</b>
Tim Ayres	Cbus	Alternate Director
Tim Ayres	Auscoal	Board Member expired July 2013.

Other Relevant Information

The NSW Branch is not aware of any other relevant information.

Prescribed Information Required Under the Fair Work (Registered Organisations) Regulations 2009

- (a) The number of persons who were recorded in the register of members on 30 September 2013 was 23,499.
- (b) The number of persons who were employees of the reporting unit on 30 September 2013 was 0.

**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES UNION**

**NSW BRANCH**

**OPERATING REPORT (cont'd)**

(c) The name of each person who has been a member of State Council, at any time during the reporting period, and the period for which he or she held such a position is as follows:

<b>Name</b>	<b>Period Position Held</b>
Tim Ayres	01.10.2012 to 30.09.2013
Steve Murphy	01.10.2012 to 30.09.2013
Bruce O'Keefe	01.10.2012 to 30.09.2013
Robyn Fortescue	01.10.2012 to 30.09.2013
Andrew Currie	01.10.2012 to 30.09.2013
Sean Morgan	01.10.2012 to 30.09.2013
Mark Pearce	01.10.2012 to 30.09.2013
Peter Tully	01.10.2012 to 30.09.2013
George Simon	01.10.2012 to 30.09.2013
Bradley Hattenfels	01.10.2012 to 30.09.2013
Gavin Bubb	09.05.2013 to 30.09.2013
Vanessa Seagrove	01.10.2012 to 30.09.2013
William Simmons	01.10.2012 to 30.09.2013
Greg Duncan	09.05.2013 to 30.09.2013
Marian Dzurik	01.10.2012 to 30.09.2013
Jenny Tynan	01.10.2012 to 30.09.2013
Frank Sundinuhi	01.10.2012 to 30.09.2013
Rangimarie Holtz	09.05.2013 to 30.09.2013
Wayne Sweetman	01.10.2012 to 30.09.2013
Peter Oliveira	09.05.2013 to 30.09.2013
Andrew Dundas	01.10.2012 to 30.09.2013
Geoff Wallace	09.05.2013 to 30.09.2013
Neil Walsham	09.05.2013 to 30.09.2013
Cory Wright	01.10.2012 to 30.09.2013
Glenn Wilcox	09.05.2013 to 30.09.2013
Margaret Hay	01.10.2012 to 30.09.2013
Rod Maclennan	01.10.2012 to 30.09.2013
Chris Mooney	01.10.2013 to 30.09.2013
George Glyntzos	01.10.2012 to 30.09.2013
Richard Wardropper	01.10.2012 to 30.09.2013
Heidi Stenschke	09.05.2013 to 30.09.2013
Kelly O'Driscoll	01.10.2012 to 30.09.2013
William Motto	09.05.2013 to 30.09.2013
Mark Aubrey	01.10.2012 to 30.09.2013
Alan Rawlinson	01.10.2012 to 30.09.2013
Graeme Robinson	01.10.2013 to 30.09.2013
Frank Kenny	01.10.2012 to 30.09.2013
Tom Shiner	01.10.2012 to 30.09.2013
Jim O'Neill	01.10.2012 to 08.05.2013
Scott Hall	01.10.2012 to 08.05.2013
Mark Lee	01.10.2012 to 08.05.2013
Glyn Williams	01.10.2012 to 08.05.2013
Michael Whiteman	01.10.2012 to 08.05.2013
Imeleta Lesoa	01.10.2012 to 01.03.2013

**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES UNION**

**NSW BRANCH**

**OPERATING REPORT (cont'd)**

**Officers & employees who are directors of a company or a member of a board**

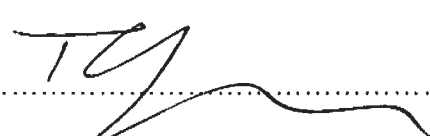
<b>Name of officer or member</b>	<b>Company or Board</b>	<b>Principal Activities</b>	<b>Holds Position as Employee, or Nominated by State Branch Peak Council</b>
Dave Henry	Workers Health Centre	Rehabilitation & Health & Safety	Nominated
Dave Henry	NSW Workers Compensation -Dust Diseases Board	Compensating asbestos victims & members	Nominated
Tim Ayres	McKell Institute	Public Policy Institute	Nominated
Tim Ayres	Industry Capability Network – ICN	Business Network	Nominated
Steve Murphy	Mechanical and Electrical Redundancy Trust - MERT	Redundancy Trust	Nominated
Tim Ayres – alternate director	Mechanical and Electrical Redundancy Trust - MERT	Redundancy Trust	Nominated
Steve Murphy	Manufacturing Skills Australia – MSA	Training & Assessment Organisation	Nominated
Daniel Wallace	Labour Co-operative Central Coast	Not for Profit co-operative	Nominated

Signed in accordance with a resolution of State Council



Mark Pearce

State President



Tim Ayres

State Secretary

6 December 2013

# **AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES UNION**

## **NSW BRANCH**

### **COMMITTEE OF MANAGEMENT'S STATEMENT**

On 6<sup>th</sup> December 2013 the State Council of the Automotive, Food, Metals, Engineering, Printing & Kindred Industries Union NSW Branch passed the following resolution in relation to the general purpose financial report (GPFR) of the State Council for the year ended 30 September 2013.

The State Council declares in relation to the GPFR that in its opinion:

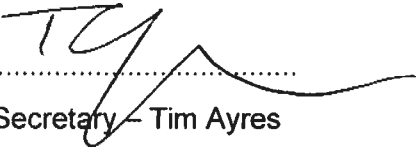
- (a) the financial report and notes comply with the Australian Accounting Standards.
- (b) the financial report and notes comply with the reporting guidelines of the General Manager of Fair Work Australia;
- (c) the financial report and notes give a true and fair view of the financial performance, financial position and cash flows of the branch for the financial year ended 30 September 2013;
- (d) there are reasonable grounds to believe that the branch will be able to pay its debts as and when they become due and payable; and
- (e) during the financial year ended 30 September 2013 and since the end of the financial year:
  - (i) meetings of the branch were held in accordance with the rules of the organisation; and
  - (ii) the financial affairs of the branch have been managed in accordance with the rules of the organisation; and
  - (iii) the financial records of the branch have been kept and maintained in accordance with the RO Act; and
  - (iv) where the organisation consists of two or more reporting units, the financial records of the branch have been kept, as far as practicable, in a consistent manner to each of the other branches of the organisation; and
  - (v) no information has been sought in any request by a member of the branch or General Manager of Fair Work Australia duly made under Section 272 of the RO Act; and
  - (vi) no orders for inspection of financial records have been made by Fair Work Commission under section 273 of the RO Act; and
- (f) during the financial year ended 30 September 2013 the NSW State Council did not participate in any recovery of wages activity

**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES  
UNION**

**NSW BRANCH**

**COMMITTEE OF MANAGEMENT'S STATEMENT (Cont'd)**

This declaration is made in accordance with a resolution of the NSW Council:

  
.....  
NSW Secretary – Tim Ayres

6 December 2013

**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES  
UNION**

**NSW BRANCH**

**STATEMENT OF COMPREHENSIVE INCOME FOR THE  
YEAR ENDED 30 SEPTEMBER 2013**

	Note	2013 \$	2012 \$
<b>INCOME</b>			
Capitation Fees	4(a)	-	-
Levies	4(b)	-	-
Grants and/or Donations	4(c)	-	-
Membership Contributions	1(a)(i)	-	-
Remittances from National Council			
- General Fund		1,325,246	1,274,297
Interest Received		13	48
<b>TOTAL INCOME</b>		<u>1,325,259</u>	<u>1,274,345</u>
<b>EXPENDITURE</b>			
Affiliation Fees	5(b)	94,857	73,223
Bank Charges		369	500
Capitation Fees	5(a)	-	-
Consideration to employers for payroll deductions		-	-
Compulsory Levies	5(c)	-	-
Conference & Meeting Expenses - External		4,040	6,750
Conference & Meeting Expenses – Internal		15,604	18,957
Delegation/Employee Expenses – Officer Holders		57,766	59,063
Delegation/Employee Expenses – Other Employees		34,788	43,012
Delegation Expenses – Members		96,772	87,560
Donations and/or Grants	5(d)	8,029	13,194
General Office Expenses		134,637	102,789
Insurance – Workers Compensation		95,590	135,209
Motor Vehicle Expenses		242,074	217,051
Newsletter Expenses		32,152	55,400
Payroll Tax		256,720	264,123
Photocopying		5,374	5,511
Postage		22,287	22,736
Printing		789	100
Publicity		107,477	100,605
Professional Services	6	61,264	43,507
Research		1,070	1,818
Stationery		19,192	21,839
Telephone		4,233	13,196
<b>TOTAL EXPENDITURE</b>		<u>1,295,084</u>	<u>1,286,143</u>
<b>NET SURPLUS/ (DEFICIT) FOR THE YEAR</b>		<u>30,175</u>	<u>(11,798)</u>
<b>TOTAL COMPREHENSIVE INCOME FOR THE YEAR</b>		<u>30,175</u>	<u>(11,798)</u>

(The attached notes form part of the financial report)

**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES  
UNION**

**NSW BRANCH**

**STATEMENT OF FINANCIAL POSITION  
AS AT 30 SEPTEMBER 2013**

	Note	2013 \$	2012 \$
<b>ASSETS</b>			
<b>Current Assets</b>			
Cash and cash equivalents	7	2,357	26,662
Receivables	8	<u>16,321</u>	<u>18,288</u>
<b>Total Current Assets</b>		<u>18,678</u>	<u>44,950</u>
<b>TOTAL ASSETS</b>		<u>18,678</u>	<u>44,950</u>
<b>LIABILITIES</b>			
<b>Current Liabilities</b>			
Trade and other payables	9	42,663	99,110
Employee Provisions	1(a)(iii)	<u>-</u>	<u>-</u>
<b>Total Current Liabilities</b>		<u>42,663</u>	<u>99,110</u>
<b>TOTAL LIABILITIES</b>		<u>42,663</u>	<u>99,110</u>
<b>NET (LIABILITIES)</b>		<u>(23,985)</u>	<u>(54,160)</u>
<b>ACCUMULATED (LOSSES)</b>		<u>(23,985)</u>	<u>(54,160)</u>

**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES  
UNION**

**NSW BRANCH**

**STATEMENT OF CHANGES IN ACCUMULATED (LOSSES)  
FOR THE YEAR ENDED 30 SEPTEMBER 2013**

	<b>Accumulated (Losses) \$</b>
<b>Balance at 30 September 2011</b>	(42,362)
Net (Deficit) for the Year	(11,798)
Total Comprehensive Income for the Year	<u>(11,798)</u>
<b>Balance at 30 September 2012</b>	<u>(54,160)</u>
Net Surplus for the Year	30,175
Total Comprehensive Income for the Year	<u>30,175</u>
<b>Balance at 30 September 2013</b>	<u>(23,985)</u>

(The attached notes form part of the financial report)



**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES  
UNION**

**NSW BRANCH**

**STATEMENT OF CASH FLOWS FOR THE  
YEAR ENDED 30 SEPTEMBER 2013**

	Note	2013 \$	2012 \$
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
Remittances from National Council	10(c)	1,325,246	1,274,297
Interest Received		13	48
Payments to Suppliers and Employees		<u>(1,349,564)</u>	<u>(1,262,270)</u>
<b>NET CASH (USED IN) PROVIDED BY OPERATING ACTIVITIES</b>	10(b)	<u>(24,305)</u>	<u>12,075</u>
<b>NET INCREASE/(DECREASE) IN CASH HELD</b>		(24,305)	12,075
Cash at Beginning of Year		<u>26,662</u>	<u>14,587</u>
<b>CASH AT END OF YEAR</b>	10(a)	<u>2,357</u>	<u>26,662</u>

(The attached notes form part of the financial report)

# **AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES UNION**

## **NSW BRANCH**

### **NOTES TO AND FORMING PART OF THE FINANCIAL REPORT FOR THE YEAR ENDED 30 SEPTEMBER 2013**

#### **1. SIGNIFICANT ACCOUNTING POLICIES**

The financial statements are general purpose financial statements which have been prepared in accordance with Australian Accounting Standards, other authoritative pronouncements of the Australian Accounting Standards Board and the Fair Work (Registered Organisations) Act 2009.

The reporting guidelines made under section 255 of the Fair Work (Registered Organisations) Act 2009 (the RO Act) require all reporting units to apply the Tier 1 reporting requirements as per Australian Accounting Standard AASB 1053 Application for Tiers of Australian Accounting Standards. As such the state council have prepared a full set of financial statements with all disclosures requirements. In the prior year the state council had early adopted Australian Accounting Standards – Reduced Disclosure Requirements but this is no longer permissible. This has had no material impact on amounts recognised in the financial statements and related notes because it merely requires more detailed note disclosures on financial risk management than if these financial statements were prepared using Australian Accounting Standards – Reduced Disclosure Requirements.

#### **BASIS OF PREPARATION**

The financial report is for the Automotive, Food, Metals, Engineering, Printing & Kindred Industries Union New South Wales Branch. The Automotive, Food, Metals, Engineering, Printing & Kindred Industries Union is an organisation registered under the Fair Work (Registered Organisations) Act 2009. The Automotive, Food, Metals, Engineering, Printing & Kindred Industries Union New South Wales Branch is a Branch of the registered organisation. In accordance with the Act the Union is a body corporate and has perpetual succession. By virtue of this method of incorporation, the Union and the State Branch are not subject to the Corporations Act 2001.

The financial report has been prepared on the basis of historical costs modified by the revaluation of selected financial assets and liabilities for which the fair value basis of accounting has been applied. Cost is based on fair values of the consideration given in exchange for assets. The accounting policies have been consistently applied, unless otherwise stated.

**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES UNION**

**NSW BRANCH**

**NOTES TO AND FORMING PART OF THE FINANCIAL REPORT FOR THE YEAR ENDED 30 SEPTEMBER 2013 (Cont'd)**

**1. SIGNIFICANT ACCOUNTING POLICIES (Cont'd)**

The following is a summary of the significant accounting policies adopted by the NSW Branch in the preparation of the financial report.

**a) (i) Revenue**

All members' contributions are paid direct to National Council. Remittances from National Council are the amounts reimbursed by the National Council to cover Branch expenses and are recognised when received by the Branch.

**(ii) Expenditure**

Expenses represent amounts paid directly by the Branch for operational costs. Other operational expenses eg. salaries which relate to the Branch are paid for by the National Council and are included in the financial report of the National Council only.

**(iii) Employee Entitlements**

Provision for employee benefits in the form of Long Service Leave and Accrued Annual Leave have been made for the estimated accrued entitlements of all employees on the basis of their terms of employment in the financial report of the National Council.

**(iv) Property, Plant and Equipment**

All fixed assets are recorded in the financial reports of the National Council and the depreciation regarding those assets is charged in the National Council accounts.

**(v) Income Tax**

No provision for income tax is necessary, as Trade Unions are exempt from income tax under Section 50-15 of the Income Tax Assessment Act 1997.

**(vi) Accounting Standards Issued But Not Yet Effective**

There have been no accounting standards issued which will have a financial impact on the financial report in future periods and which are not yet effective.

**(vii) Goods and Services Tax (GST)**

Revenues and expenses are recognised net of GST, except where the amount of GST incurred is not recoverable from the Australian Tax Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or part of an item of the expense. Receivables and payables on the statement of financial position are shown inclusive of GST.

The net amount of GST recoverable from, or payable to the taxation authority is included as part of receivables or payables as appropriate.

Cash flows are included in the statement of cash flows on a gross basis.

**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES UNION**

**NSW BRANCH**

**NOTES TO AND FORMING PART OF THE FINANCIAL REPORT FOR THE YEAR ENDED 30 SEPTEMBER 2013 (Cont'd)**

**1. SIGNIFICANT ACCOUNTING POLICIES (Cont'd)**

**b) Going Concern Basis of Accounting**

The financial report has been prepared on the basis that the Branch is a going concern, which assumes continuity of normal business activities and the realisation of assets and the settlement of liabilities in the ordinary course of business.

The State Council believes it is appropriate to adopt the going concern basis for preparing the report on the grounds that the National Council has made an undertaking to provide financial support to the Branch.

**2. ACCOUNTING ESTIMATES AND JUDGEMENTS**

Estimates and judgments are continually evaluated and are based on historical experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances.

**(a) Critical accounting estimates and assumptions**

The NSW Branch makes estimates and assumptions concerning the future. The resulting accounting estimates by definition seldom equal the related actual results. There are no estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities.

**(b) Critical judgments in applying the NSW Branch's accounting principles**

There are no critical judgments that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities.

**3 INFORMATION TO BE PROVIDED TO MEMBERS OR THE GENERAL MANAGER OF FAIR WORK AUSTRALIA**

In accordance with the requirements of the Fair Work (Registered Organisations) Act 2009, the attention of members is drawn to the provisions of Section 272 of Fair Work (Registered Organisations) Act 2009 which read as follows:

- 1) A member of a reporting unit, or the General Manager of Fair Work Australia, may apply to the reporting unit for specified prescribed information in relation to the reporting unit to be made available to the person making the application.
- 2) The application must be in writing and must specify the period within which, and the manner in which, the information is to be made available. The period must not be less than 14 days after the application is given to the reporting unit.
- 3) A reporting unit must comply with an application made under subsection (1)

**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES  
UNION**

**NSW BRANCH**

**NOTES TO AND FORMING PART OF THE FINANCIAL REPORT  
FOR THE YEAR ENDED 30 SEPTEMBER 2013 (Cont'd)**

	2013 \$	2012 \$
<b>4(a) Capitation Fees*</b>	-	-
	<u>-</u>	<u>-</u>
<b>4(b) Levies*</b>	-	-
	<u>-</u>	<u>-</u>
<b>4(c) Grants and/or Donations*</b>		
Grants	-	-
Donations	-	-
	<u>-</u>	<u>-</u>
<b>5(a) Capitation Fees*</b>	-	-
	<u>-</u>	<u>-</u>
<b>5(b) Affiliation Fees*</b>		
Asbestos Disease Foundation of Australia	55	2
Womens Health	1385	1154
Australian Labor Party ALP	2279	2577
Central Coast Trades & Labour Council	-	450
Combined Pensioners & Super Association NSW	-	23
Combined Retired Union Members Association of NSW	50	50
Newcastle Trades Hall	8153	6523
Philipines Australia union Link	50	50
South Coast Labor Council	4591	3418
Trade Union Committee of Aboriginal Rights	273	273
Unions NSW	76640	58658
Workers Educational Association Sydney	45	45
Evatt Foundation	955	-
Hiroshima	109	-
May Day	272	-
	<u>94,857</u>	<u>73,223</u>

**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES UNION**

**NSW BRANCH**

**NOTES TO AND FORMING PART OF THE FINANCIAL REPORT FOR THE YEAR ENDED 30 SEPTEMBER 2013 (Cont'd)**

**5(c) Compulsory Levies\***

-	-
<u>-</u>	<u>-</u>

**5(d) Grants or Donations**

Grants	-	-
Donations	8,029	13,194
	<u>8,029</u>	<u>13,194</u>

\*Item required by the Reporting Guidelines. Item to remain even if 'nil'

**6. PROFESSIONAL SERVICES**

Auditors - Auditing the financial report	16,500	16,120
- Other Services	750	2,000
	<u>17,250</u>	<u>18,120</u>

**Legal Costs**

Litigation	31,100	16,746
Other Legal Matters	12,914	8,641
	<u>61,264</u>	<u>43,507</u>

**7. CASH AND CASH EQUIVALENTS**

Cash at Bank	<u>2,357</u>	<u>26,662</u>
--------------	--------------	---------------

**8. RECEIVABLES**

**Receivable from other reporting units**

Net amount receivable - National Council	-	-
Less Provision for Doubtful Debts	<u>-</u>	<u>-</u>
	<u>-</u>	<u>-</u>

**Other Receivables**

Prepayments	16,321	18,088
Sundry Debtors	-	200
	<u>16,321</u>	<u>18,288</u>

**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES UNION**

**NSW BRANCH**

**NOTES TO AND FORMING PART OF THE FINANCIAL REPORT FOR THE YEAR ENDED 30 SEPTEMBER 2013 (Cont'd)**

	<b>2013</b>	<b>2012</b>
	<b>\$</b>	<b>\$</b>
<b>9. TRADE AND OTHER PAYABLES</b>		
Trade and other payables	42,663	99,110
Other payables – Legal Costs	-	-
Other payables – Consideration to employers for payroll deductions	-	-
Payables to other reporting units	-	-
Sundry Creditors	-	-
	<u>42,663</u>	<u>99,110</u>
<b>10. CASH FLOW</b>		
<b>(a)</b> For the purposes of the statement of cash flows, cash includes cash on hand and at call deposits with banks and other financial institutions.		
Cash at Bank	<u>2,357</u>	<u>26,662</u>
<b>(b)</b> Reconciliation of Cash Flow from Operations with Net Surplus (Deficit)		
<b>Net Surplus (Deficit)</b>	30,175	(11,798)
<b>Changes in Assets and Liabilities</b>		
Decrease in Receivables	1,967	21,265
(Decrease)/Increase in Payables	(56,447)	2,608
	<u>(24,305)</u>	<u>12,075</u>
<b>CASH FLOWS FROM OPERATIONS</b>		
<b>(c) CASH FLOW INFORMATION – Reporting Unit</b>		
<b>Cash inflows</b>		
Remittances from National Council	1,325,246	1,274,297
<b>Cash outflows</b>	-	-

**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES UNION**

**NSW BRANCH**

**NOTES TO AND FORMING PART OF THE FINANCIAL REPORT FOR THE YEAR ENDED 30 SEPTEMBER 2013 (Cont'd)**

**11. RELATED PARTIES**

- (a) The aggregate amount of remuneration paid to officers during the financial year is included in the National Council's Financial Report.
- (b) The aggregate amount paid during the financial year to a superannuation plan in respect of elected full time officials is included in the National Council's Financial Report.
- (c) There have been no other transactions between the officers and the Union other than those relating to their membership of the Union and the reimbursement by the Union in respect of expenses incurred by them in the performance of their duties. Such transactions have been on conditions no more favourable than those which it is reasonable to expect would have been adopted by parties at arm's length.
- (d) The ultimate controlling entity of the Branch is the Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union, National Council.
- (e) Transactions with Ultimate Controlling Entity
  - (i) Remittances from National Council are disclosed in the statement of comprehensive income.
  - (ii) Net Amounts Receivable from the National Office are as follows:

	2013	2012
	\$	\$
Net amount receivable - National Office	-	-

**12. FINANCIAL RISK MANAGEMENT**

*(a) General objectives, policies and processes*

The Branch is exposed to risks that arise from its use of financial instruments. This note describes the Branch's objectives, policies and processes for managing those risks and the methods used to measure them.

There have been no substantive changes in the Branch's exposure to financial instrument risk, its objectives, policies and processes for managing those risks or the methods used to measure them from previous periods unless otherwise stated in this note.

The Branch's financial instruments consist mainly of deposits with banks and receivables. The main risks the Branch is exposed to through its financial instruments are interest rate risk (see section (e) below), liquidity risk and credit risk.

The State Council have overall responsibility for the determination of the Branch's risk management objectives and policies.



**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES UNION**

**NSW BRANCH**

**NOTES TO AND FORMING PART OF THE FINANCIAL REPORT FOR THE YEAR ENDED 30 SEPTEMBER 2013 (Cont'd)**

**12. FINANCIAL RISK MANAGEMENT (Cont'd)**

*(b) Credit Risk*

Credit risk is the risk that the other party to a financial instrument will fail to discharge their obligation resulting in the Branch incurring a financial loss. This usually occurs when debtors fail to settle their obligations owing to the Branch.

The maximum exposure to credit risk, excluding the value of any collateral or other security, at balance date to recognised financial assets is the carrying amount of those assets, net of any provision for doubtful debts, as disclosed below:

	<b>2013</b>	<b>2012</b>
	<b>\$</b>	<b>\$</b>
Cash and cash equivalents	<u>2,357</u>	<u>26,662</u>
The cash and cash equivalents are held in a high quality Australian financial institution		
Net amount receivable - National Council	-	-
Sundry Debtors	<u>-</u>	<u>200</u>
Total receivables	<u>-</u>	<u>200</u>

There has been no history of default, no amounts are past due and all receivables are likely to be repaid within the expected terms.

*(c) Liquidity Risk*

Liquidity risk is the risk that the Branch may encounter difficulties raising funds to meet commitments associated with financial instruments.

The Branch is not significantly exposed to this risk; as at 30 September 2013 it had \$2,357 of cash and cash equivalents to meet these obligations as they fall due. Financial liabilities at 30 September 2013 totaled \$42,663

The Branch manages liquidity risk by monitoring cash flows. Further the National Council has made an undertaking to provide financial support to the Branch.

*(d) Market Risk*

Market risk arises from the use of interest bearing, tradable financial instruments. It is the risk that the fair value or future cashflows of a financial instrument will fluctuate because of changes in interest rates (interest rate risk) or other market factors (other price risk).

**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES UNION**

**NSW BRANCH**

**NOTES TO AND FORMING PART OF THE FINANCIAL REPORT FOR THE YEAR ENDED 30 SEPTEMBER 2013 (Cont'd)**

**12. FINANCIAL RISK MANAGEMENT (Cont'd)**

(i) *Interest Rate Risk*

The Branch's exposure to interest rate risk, which is the risk that a financial instrument's value will fluctuate as a result of changes in market interest rates and the effective weighted average interest rates on those financial assets and liabilities are summarised below:

<b>30 September 2013</b>	<b>Floating interest rate</b>	<b>Non interest Bearing</b>	<b>Total</b>
	\$	\$	\$
<b>Financial Assets</b>			
Cash and cash equivalents	2,357	-	2,357
Receivables	-	-	-
	<u>2,357</u>	<u>-</u>	<u>2,357</u>
Weighted average Interest rate	0.01%	-	
<b>Financial Liabilities</b>			
Payables	-	(42,663)	(42,663)
	<u>-</u>	<u>(42,663)</u>	<u>(42,663)</u>
<b>Net Financial Assets (Liabilities)</b>	<u>2,357</u>	<u>(42,663)</u>	<u>(40,306)</u>
<b>30 September 2012</b>	<b>Floating interest rate</b>	<b>Non interest bearing</b>	<b>Total</b>
	\$	\$	\$
<b>Financial Assets</b>			
Cash and cash equivalents	26,662	-	26,662
Receivables	-	200	200
	<u>26,662</u>	<u>200</u>	<u>26,862</u>
Weighted average Interest rate	0.01%		
<b>Financial Liabilities</b>			
Payables	-	(99,110)	(99,110)
	<u>-</u>	<u>(99,110)</u>	<u>(99,110)</u>
<b>Net Financial Assets (Liabilities)</b>	<u>26,662</u>	<u>(98,910)</u>	<u>(72,248)</u>

**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING & KINDRED INDUSTRIES UNION**

**NSW BRANCH**

**NOTES TO AND FORMING PART OF THE FINANCIAL REPORT FOR THE YEAR ENDED 30 SEPTEMBER 2013 (Cont'd)**

**12. FINANCIAL RISK MANAGEMENT (Cont'd)**

**Sensitivity Analysis**

<b>2013</b>	<b>Carrying Amount</b>	<b>+0.5% (50 basis points) Profit</b>	<b>-0.5% (50 basis points) Loss</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
Cash Assets	<u>2,357</u>	<u>12</u>	<u>(12)</u>
<b>2012</b>			
Cash Assets	<u>26,662</u>	<u>133</u>	<u>(133)</u>

*(ii) Other Price Risks*

The Branch does not invest in shares or derivatives therefore it does not expose itself to the fluctuations in price that are inherent in such a market.

*(iii) Foreign Exchange Risk*

The Branch is not directly exposed to foreign exchange rate risk.

**13. SUBSEQUENT EVENTS**

There are no subsequent events that have occurred or are likely to occur that require disclosure.

**14. CONTINGENT LIABILITIES, ASSETS AND COMMITMENTS**

Nil.

**15. KEY MANAGEMENT PERSONNEL COMPENSATION**

Key management personnel compensation has been disclosed in the National Council's financial report.

**16. ADDITIONAL BRANCH INFORMATION**

The registered office and principal place of business of the Branch is:

133 Parramatta Road  
Granville NSW 2142

Grant Thornton Audit Pty Ltd  
ACN 130 913 594

Level 19, 2 Market Street  
Sydney NSW 2000  
Locked Bag Q800  
QVB Post Office  
Sydney NSW 1230

**T** +61 2 8297 2400  
**F** +61 2 9299 4445  
**E** [info.nsw@au.gt.com](mailto:info.nsw@au.gt.com)  
**W** [www.grantthornton.com.au](http://www.grantthornton.com.au)

**Independent Auditor's Report  
To the Members of Automotive, Food, Metals, Engineering, Printing &  
Kindred Industries Union New South Wales Branch**

We have audited the accompanying financial report of Automotive, Food, Metals, Engineering, Printing & Kindred Industries Union New South Wales Branch (the "Branch"), which comprises the statement of financial position as at 30 September 2013, and the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information to the financial report and the statement by the Committee of Management.

**Responsibility of the Committee of Management for the financial report**

The Committee of Management and Branch Secretary of the branch is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards and Fair Work (Registered Organisations) Act 2009. This responsibility includes such internal controls as the Committee of Management and Branch Secretary of the branch determine are necessary to enable the preparation of the financial report to be free from material misstatement, whether due to fraud or error.

**Auditor's responsibility**

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards which require us to comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error.

'Grant Thornton' refers to the brand under which the Grant Thornton member firms provide assurance, tax and advisory services to their clients and/or refers to one or more member firms, as the context requires. Grant Thornton Australia Ltd is a member firm of Grant Thornton International Ltd (GTIL). GTIL, and the member firms are not a worldwide partnership. GTIL, and each member firm is a separate legal entity. Services are delivered by the member firms. GTIL does not provide services to clients. GTIL and its member firms are not agents of, and do not obligate one another and are not liable for one another's acts or omissions. In the Australian context only, the use of the term 'Grant Thornton' may refer to Grant Thornton Australia Limited ABN 41 127 556 389 and its Australian subsidiaries and related entities. GTIL is not an Australian related entity to Grant Thornton Australia Limited.

Liability limited by a scheme approved under Professional Standards Legislation. Liability is limited in those States where a current scheme applies.

In making those risk assessments, the auditor considers internal control relevant to the Branch's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Branch's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Committee of Management and Branch Secretary, as well as evaluating the overall presentation of the financial report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.


### **Independence**

In conducting our audit, we have complied with the applicable independence requirements of the Accounting Professional and Ethical Standards Board and the Fair Work (Registered Organisations) Act 2009.

### **Auditor's Opinion**

In our opinion,

- a the financial report of Automotive, Food, Metals, Engineering, Printing & Kindred Industries Union New South Wales Branch
  - i presents fairly, in all material respects, the Branch's financial position as at 30 September 2013 and of its performance and cash flows for the year then ended ; and
  - ii complies with Australian Accounting Standards and the requirements imposed by Part 3 of Chapter 8 of the Fair Work (Registered Organisations) Act 2009.



GRANT THORNTON AUDIT PTY LTD  
Chartered Accountants



Neville Sinclair  
Partner - Audit & Assurance  
Member of Institute of Chartered Accountants  
And Holder of Current Public Practice Certificate  
Registered Company Auditor

Sydney, 6 December 2013



8 October 2013

Mr Tim Ayres  
NSW State Secretary  
"Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU) - New South Wales Branch  
Sent by email: [tim.ayres@amwu.asn.au](mailto:tim.ayres@amwu.asn.au)

Dear Mr Ayres,

**Re: Lodgement of Financial Report - [FR2013/395]  
Fair Work (Registered Organisations) Act 2009 (the RO Act)**

The financial year of the New South Wales Branch of the "Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU) (the reporting unit) ended on 30 September 2013.

This is a courtesy letter to remind you of the obligation to prepare and lodge the financial report for the reporting unit by the due date, namely 15 April 2014 (that is the period within 6 months and 14 days of the end of the financial year) under s.268 of the RO Act.

The RO Act sets out a particular chronological order in which financial documents and statements must be prepared, audited, provided to members and presented to a meeting. For your assistance, the attached *Timeline/Planner* summarises these requirements.

Fact sheets and guidance notes in relation to financial reporting under the RO Act are provided on the Fair Work Commission website. Additionally, the General Manager's updated reporting guidelines, that applies to all financial reports that end on or after 30 June 2013, is also on the website together with slides relating to our recently held financial reporting guidelines Webinar.

Fair Work Commission has also developed a model set of financial statements for the 2012-2013 financial year. There is no requirement to use this model but it may be a useful resource to ensure compliance with the RO Act, the reporting guidelines and the Australian Accounting Standards. All of the above information can be accessed through our website at [Compliance & litigation](#).

The financial report and any statement of loans, grants or donations made during the financial year [statement must be lodged within 90 days of end of financial year] can be emailed to [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au). A sample statement of loans, grants or donations is at [sample document no.5](#)

**It should be noted that s.268 is a civil penalty provision.** Failure to lodge a financial report may result in legal proceedings being issued with the possibility of a pecuniary penalty (up to \$33,000 for a body corporate and \$6,600 for an individual per contravention) being imposed upon an officer whose conduct led to the contravention and/or your organisation.

Should you seek any clarification in relation to the above, please contact me on (03) 8661 7936 or via email at [robert.pfeiffer@fwc.gov.au](mailto:robert.pfeiffer@fwc.gov.au).

Yours sincerely,

Robert Pfeiffer  
Senior Adviser  
Regulatory Compliance Branch

## TIMELINE/ PLANNER

Financial reporting period ending:	/ /	
Prepare financial statements and Operating Report.		
<p>(a) A Committee of Management Meeting must consider the financial statements, and if satisfied, pass a resolution declaring the various matters required to be included in the Committee of Management Statement.</p> <p>(b) A # designated officer must sign the Statement which must then be forwarded to the auditor for consideration as part of the General Purpose Financial Report (GPFR).</p>	/ /	As soon as practicable after end of financial year
Auditor's Report prepared and signed and given to the Reporting Unit - s257	/ /	<p>Within a reasonable time of having received the GPFR</p> <p>(NB: Auditor's report must be dated on or after date of Committee of Management Statement</p>
<p>Provide full report free of charge to members – s265</p> <p>The full report includes:</p> <ul style="list-style-type: none"> <li>the General Purpose Financial Report (which includes the Committee of Management Statement);</li> <li>the Auditor's Report; and</li> <li>the Operating Report.</li> </ul>	/ /	<p>(a) if the report is to be presented to a General Meeting (which must be held within 6 months after the end of the financial year), the report must be provided to members 21 days before the General Meeting,</p> <p>or</p> <p>(b) in any other case including where the report is presented to a Committee of Management meeting*, the report must be provided to members within 5 months of end of financial year.</p>
Present full report to:		
(a) General Meeting of Members - s266 (1),(2); OR	/ /	Within 6 months of end of financial year
(b) where the rules of organisation or branch allow* - a Committee of Management meeting - s266 (3)	/ /	Within 6 months of end of financial year
Lodge full report with the Fair Work Commission, together with the #Designated Officer's certificate++ – s268	/ /	Within 14 days of meeting

\* the full report may only be presented to a committee of management meeting if the rules of the reporting unit provide that a percentage of members (not exceeding 5%) are able to call a general meeting to consider the full report.

# The Committee of Management Statement and the Designated Officer's certificate must be signed by the Secretary or another officer who is an elected official and who is authorised under the rules (or by resolution of the organisation) to sign the statement or certificate – s243.

++ The Designated Officer's certificate must state that the documents lodged are copies of the documents provided to members and presented to a meeting in accordance with s266 – dates of such events must be included in the certificate. The certificate cannot be signed by a non-elected official.