

Australian Government

Australian Industrial Registry

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Mr Doug Cameron National Secretary Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union PO Box 160 GRANVILLE NSW 2142

Dear Mr Cameron,

Attention: Mr Warren Soos

Re: Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union Financial Reports - year ended 30 September 2004 - Schedule 1B - Workplace Relations Act 1996 (RAO Schedule)

National Council	FR2004/620
Victoria	FR2004/625
New South Wales	FR2004/621
Queensland	FR2004/622
Tasmania	FR2004/624
South Australia	FR2004/623
Western Australia	FR2004/626

I refer to the financial reports lodged under s268 of the RAO Schedule for the abovementioned organisation and its branches for the financial year ending 30 September 2004, lodged in the Industrial Registry on 1 April 2005.

The financial reports have been filed and are available for viewing at www.e-airc.gov.au/ 188v/.

Further information required - Grants and Donations

The Statement of Loans, Grants and Donations lodged by the National Office on 1 December 2004 under s237 of the RAO Schedule disclosed a total for grants and donations made by the National and State Offices during the financial year of \$178,736, whereas the aggregate of donations according to the financial returns listed above totals \$58,460. The reports for the National and State Offices do not appear to disclose separately any expenditure relating to grants.

In the light of this apparent inconsistency, could you provide further information regarding the above issue by Friday 6 May 2005. The inconsistency may relate to donations made by a Fund of the National Office. For example, in previous financial years the National Office has lodged a separately audited return for the Political Fund which has disclosed an amount in respect of donations.

The Reporting Guidelines require each reporting entity to identify the amount expended on grants and donations in the General Purpose Financial Report (GPFR) - see Item 11(f) at Attachment A. This obligation is in addition to the requirement to notify the details of grants

and donations under s237 of the RAO Schedule. It should be borne in mind that the words 'grant' and 'donation' have the same meaning for the purpose of the GPFR as for s237 of the RAO Schedule - see the Glossary of the Reporting Guidelines.

Comments to assist future financial reports

The comments below may assist you when you prepare financial reports in future financial years. These comments chiefly concern the correct disclosure of expenditure as required by Item 11 of the Reporting Guidelines.

'Delegation Expenses'

Many of the branches have disclosed significant amounts of expenditure as 'delegation expenses'. While the Reporting Guidelines do not specifically require the disclosure of delegation expenses there are express mandatory requirements to disclose, amongst other things, the following items:

- 11 (g) employee benefits to holders of office of the reporting unit;
 - (h) employee benefits to employees (other than holders of office) of the reporting unit;
 - (i) fees or allowances (other than any amount included in an amount referred to in subparagraphs (g) or (h) of this paragraph) to persons in respect of their attendance as representatives of the reporting unit at conferences or other meetings;....
 - (k) expenses (other than expenses included in an amount referred to elsewhere in this paragraph) incurred in connection with meetings of members of the reporting unit and any conferences or meetings of councils, committees, panels or other bodies for the holding of which the reporting unit was wholly or partly responsible

Accordingly, in future financial years please ensure that any 'delegation expenses' that relate to any of the above expenditure items (or to any other expenditure items specified in paragraph 11 of the Reporting Guidelines) are separately disclosed in the accounts.

Tasmanian Branch - 'Employee Expenses'

The Tasmanian Branch accounts disclose an amount for Employee Expenses of \$132,556. This would appear to be inconsistent with Note 1(e) of the Notes to the Branch Accounts which states:

No provisions is made for benefits accruing to employees in respect of wages and salaries, annual leave, long services leave and sick leave at the Branch level.

In future financial years this apparent inconsistency should be clarified - again, please refer to Item 11 of the Reporting Guidelines for a list of mandatory expenditure requirements.

Victorian Branch - Legal Expenses

While the accounts for the Victorian Branch disclosed an amount for Professional Services of \$195,840 there was no separate disclosure regarding *'legal costs and other expenses related to litigation or other legal matters'* as required under Item 11(j) of the Reporting Guidelines.

Statement of Accounting Policies - consistency between branches

The RAO Schedule requires the financial records for each of the reporting units of an organisation to be kept, as far as practicable, on a consistent basis - see s252(2) of the RAO Schedule and Item 17(e)(iv) of the Reporting Guidelines.

With respect to the above, I note that the 'Statement of Accounting Policies' of many of the branches appear to vary on a number of issues. For example, while most of the branches generally affirm that 'Salaries and Employee Entitlements' are paid by the National Council rather than the branches, the South Australian and Western Australian accounts vary as follows:

- South Australia the relevant Note only refers to annual leave and long service leave,
- Western Australia there is no Note regarding this issue

There are similar variations of wording between the branches regarding other issues such as Receivables, Fixed Assets, Depreciation Charges and Goods and Services Tax.

In the light of the above the branches should, to the extent that it is practicable, adopt a consistent approach and consistent wording in their respective Statement of Accounting Policies.

If you have any queries please contact Andrew Schultz at this Registry on (03) 8661 7799.

Yours faithfully,

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Andrew O'Brien Principal Registry Statutory Services Branch

12 April 2005



<u>AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING AND</u> <u>KINDRED INDUSTRIES UNION</u>

CERTIFICATE OF STATE SECRETARY

I, Dave Oliver, being the State Secretary of the Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union Victoria State Council certify:

- that the documents lodged herewith are copies of the Full Report, referred to in section 268 of the ROA Schedule; and
- that the Full Report was provided to members on the 17th and 18th of January 2005; and
- that the Full Report was presented to a meeting of the Committee of Management of the Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union Victoria State Council on the 9th February 2005 in accordance with section 266 of the ROA Schedule.

State Secretary Signature

9th February 2005

÷...

Date

WORKING FOR YOU

Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union

OPERATING REPORT FOR THE YEAR ENDED 30 SEPTEMBER 2004

Review of the Branch's Principal Activities

The Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union, Victorian State Council's principal industrial objectives are aimed at the improvement of wages and working conditions for members throughout the industry. This has been done primarily by way of industrial awards and enterprise agreements. The AFMEPKIU Victorian State Council has also been active in trying to influence governments at all levels in a wide range of political issues.

Significant Changes

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

Results of Principal Activities

The AFMEPIKU Victorian State Council's principal activities resulted in a deficit for the financial year, after abnormal items of \$367,575. The reason for the deficit was because the National Office refunded the State Council an amount of \$452,015 being the GST debt outstanding. Had these funds been included in the general fund this would have resulted in a surplus of \$84,440 for the financial year.

Significant Changes in the Unions Financial Affairs

No matters or circumstances arose during the reporting year, which significantly affected the financial affairs of the Union.

The Rights of Members to Resign

Rule 43 (8) of the AFMEPKIU 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 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

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 valid because it was not addressed and delivered to the State Secretary.

A resignation from membership is valid even if it is not affected in accordance with this Rule of 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 of the Workplace Relations Act 1996.

State Officers or Members who are Trustees of a Superannuation Entity

The following is a list of Officers and Members who are Trustees of a Superannuation Entity:-

Name	Super Fund	• •
Ray Campbell	FIST	Director/Trustee
John Chand	FESF	Director/Trustee
Gerry Fitzpatrick	FESF	Director/Trustee
Steve Majstorovic	FESF	Director/Trustee
Wayne Moore	FESF	Director/Trustee
Frank Coghlan	FESF	Director/Trustee
Joe Xerri	TEST	Director/Trustee
Ali Noyan	TEST	Director/Trustee
Mahavidanalage Pirganta Gunarathe	TEST	Director/Trustee
Ross Manuel	TEST	Director/Trustee
Luca Picci	HESF	Director/Trustee

Prescribed Information Required under the Workplace Relations (RAO) Regulations 2003

- a) the number of persons that were recorded in the registrar of members on 30 September 2004 was 54,642.
- b) the number of persons who were employees of the reporting unit on 30 September 2004 was 94, where the number of employees includes both full-time employees and part-time employees measured on a full-time equivalent basis.
- c) The name of each person who has been a member of the committee of management of the State at any time during the reporting period, and the period for which he or she held such position is as follows:

Name P J Abrahamson Period Position Held 1 October 2003 to 29 April 2004

P Emery R Lander **B** Murphy L Pope N Smith G Tucker S Warway J Speight W Combes D Oliver S Dargavel **B** Halfpenny J Reid G Larkin G Tierney T Bradley L Diehm V Jose D King B Whelan G Robb C Spindler V Theuma P Wisniewski I Thomas K Osborne E J Williams **T** Mavromatis A Main C Marshall S Cook A Hynds A Hogan W Connor A Scott I Johnson C Muir J Parker H Pilakis T Cavalho J Wilson F Armenio A Lenne C Cleave G Driver D McMinimee R Campbell R Dabrowski S Rogers G Butler L Cassin J Briganti

1 October 2003 to 29 April 2004 1 October 2003 to 30 September 2004

D Bagaric C Mitchell J Bellerby P Difelice D Nunns B Sexton J Cooper E De Geest A Zarogiannis P L Gray O Oztas P A James October 2003 to 30 September 2004

Lave Oliver tate Secretar 17/11/04

COMMITTEE OF MANAGEMENT STATEMENT

On November 17 2004 the Committee of Management of the Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union, Victorian Council General Fund passed the following resolution in relation to the general purpose financial report (GPFR) of the reporting unit for the financial year ended 30 September 2004:

The Committee of Management declares in relation to the GPFR that in its opinion:

- (a) the financial statements and notes comply with the Australian Accounting Standards;
- (b) the financial statements and notes comply with the reporting guidelines of the Industrial registrar;
- (c) the financial statements and notes give a true and fair view of the financial performance, financial position and cash flows of the reporting unit for the financial year to which they relate;
- (d) there are reasonable grounds to believe that the reporting unit will be able to pay its debts as and when they become due and payable;
- (e) during the financial year to which the GPFR relates and since the end of that year:
 - (i) meetings of the committee of management (State Council) were held in accordance with the rules of the organisation including the rules of a branch concerned; and
 - (ii) the financial affairs of the reporting unit have been managed in accordance with the rules of the organisation including the rules of a branch concerned; and
 - (iii) the financial records of the reporting unit have been kept and maintained in accordance with the RAO schedule and the RAO Regulations; and
 - (iv) as the organisation consists of 2 or more reporting units the financial records of the reporting unit have been kept, as far as practicable, in a consistent manner to each of the other reporting units of the organisation; and
 - (v) no information has been sought in any request of a member of the reporting unit or a Registrar duly made under section 272 of the RAO Schedule; and
 - (vi) no orders have been made by the Commission for inspection of financial records under section 273 of the RAO Schedule during the period.

For Committee of Management

DAVE OLIVER State Secretary Signature: Date:

Automotive, Food, Metals, Engineering, Printing & Kindred Industries Union - Victorian State Council General Fund

Financial Statements and Auditor's Report

For the year ended 30 September 2004

VICTORIAN STATE COUNCIL GENERAL FUND 30 SEPTEMBER 2004

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VICTORIAN STATE COUNCIL GENERAL FUND

Statement of Income & Expenditure for the year ended 30 September, 2004

	Year ended 30 Sep 2004 (\$)	Year ended 30 Sep 2003 (\$)
INCOME		
Bank Interest	3,663	4,910
Remittance from National Council - General fund Remittances from National Council	1,967,726	2,350,000
Local Purpose Account	18,495	18,477
TOTAL INCOME	1,989,884	2,373,387
EXPENDITURE		
Affiliation fees	189,686	201,203
Bank Charges	1,628	915
Data Processing and other	522	103
Delegation Expenses	327,138	291,421
Donations	5,862	8,100
Freight	1,419	2,367
Fringe Benefits Tax	1,360	76,078
General Office expenses	58,561	97,413
Insurance	390,149	283,617
Library and research	3,729	4,065
Motor Vehicle Expenses	284,522	271,173
- Payroll Tax	283,124	213,149
Postage	67,367	57,023
Printing and Stationary	258,797	247,464
Professional Services	195,840	236,875
Publicity	42,576	2,165
Rents Paid	-	• -
Salaries	10,997	17,805
Travel Domestic	3,475	-
Telephone	230,709	323,286
TOTAL PAYMENTS	2,357,459	2,334,222
OPERATING SURPLUS/(DEFICIT)	(367,575)	39,165

VICTORIAN STATE COUNCIL GENERAL FUND

Statement of Assets & Liabilities as at 30 September 2004

	Note	30 Sep 2004 (\$)	30 Sep 2003 (\$)
ASSETS			
Cash at Bank		(49,577)	66,197
Net amounts receivable - AMWU National Office	2	18,995	260,434
Total Assets		(30,582)	326,631
LIABILITIES			•
Trade Creditors		78,163	67,801
Total Liabilities		78,163	67,801
NET ASSETS		(108,745)	258,830
RETAINED EARNINGS			
Retained Earnings Brought Forward		258,830	219,665
Profit or (Loss) Current Year		(367,575)	39,165
TOTAL RETAINED EARNINGS	•	(108,745)	258,830

The accompanying notes form part of these financial statements

VICTORIAN STATE COUNCIL GENERAL FUND

Statement of Cashflows for the year ended 30 September 2004

	Note	Year ended 30 Sep 2004 (\$)	Year ended 30 Sep 2003 (\$)
CASHFLOWS FROM OPERATING ACTIVITIES		· · · · ·	•
Receipts from National Council		2,418,495	2,507,077
Interest		3,663	4,910
Payments to Suppliers & Employers		(2,537,931)	(2,407,777)
Cashflow provided by operating activities	- 4)	(115,773)	104,210
Net Cash Increase		(115,773)	104,210
Cash at beginning of financial year		66,196	(38,014)
Cash at end of financial year	-	(49,577)	66,196

The accompanying notes form part of these financial statements

VICTORIAN STATE COUNCIL GENERAL FUND 30 SEPTEMBER 2004

NOTES TO AND FORMING PART OF THE ACCOUNTS

NOTE 1: STATEMENT OF ACCOUNTING POLICIES

This financial report is a general purpose report that has been prepared in accordance with the Workplace Relations Act 1996 applicable Accounting Standards and other mandatory professional reporting requirements. The financial report has been prepared on an accruals basis and on the basis of historical costs and does not take into account changing money values or, except where specifically stated, current valuations of non-current assets. Cost is based on fair values of the consideration given in exchange for assets. The accounting policies have been consistently applied, unless otherwise stated.

The following is a summary of the material accounting policies adopted by the Victorian State Council in the preparation and presentation of the financial report:

- a) The Victorian State Council operates as a branch of the Automotive, Food, Metals, Engineering, Printing & Kindred Industries Union.
 - (i) Apart from miscellaneous interest, income represents the amount reimbursed by the National Council to cover Victorian based expenses.
 - (ii) Expenditure represents amounts paid directly by the Victorian Branch for operational costs.
 - (iii) Other operational expenses eg: salaries which relate to the Victorian Branch are paid for by the National Council and included in financial accounts for the National Council only.
 - (iv) All fixed assets are recorded in the Accounts of the National Council and the depreciation regarding those assets is charged in the National Council accounts.
 - (v) 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.

b) Australian Equivalents to International Financial Reporting Standards (IFRS's)

Commencing with the year ending 30 September 2006, the branch's financial reports will be required to comply with Australian equivalents to International Financial Reporting Standards (IRS's) instead of Australian Accounting Standards presently on issue. Comparative financial statements must also be presented in accordance with Australian equivalents to IFRS's for the year ending 30 September 2005.

The committee of Management considers that no key accounting policy changes will arise out of this transition to IFRS's. A more detailed review will be conducted during year ending 30 September 2005.

VICTORIAN STATE COUNCIL GENERAL FUND 30 SEPTEMBER 2004

NOTES TO AND FORMING PART OF THE ACCOUNTS

NOTE 2: INFORMATION TO BE PROVIDED TO MEMBERS OR REGISTRAR

In accordance with the requirements of the Workplace Relations Act, 1996, the attention of members is drawn to the provisions of Sub-Sections (1), (2) and (3) of Section 272 of Schedule 1B which reads as follows:

- 1) A member of a reporting unit, or registrar, 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)

NOTE 3: NET AMOUNTS RECEIVABLE FROM NATIONAL OFFICE

	2004 \$	2003 \$
Net GST paid and claimed by National Office Other	99,071 (80,076)	339,188 (78,754)
	18,995	260,434

During the 2003/04 financial year, the AMWU National Office provided remittances to the Victorian Branch below levels required to fund operations. The National Office however will provide funding to the Victorian Branch in 2004/05 to continue to meet its operational requirements.

NOTE 4: CASHFLOW INFORMATION	· · · · · · · · · · · · · · · · · · ·	
	2004 \$	2003 \$
Reconciliation of cashflow from operations with surplus/(deficit)		
Operating surplus	(367,575)	39,165
Increase/(Decrease) in trade creditors (Increase) in debtors	10,362 <u>241,440</u>	67,801 <u>(2,756)</u>
Cashflow from operations	(115,773)	<u>104,210</u>

VICTORIAN STATE COUNCIL GENERAL FUND 30 SEPTEMBER 2004

NOTES TO AND FORMING PART OF THE ACCOUNTS

NOTE 5: RELATED PARTY TRANSACTIONS

Transactions with related parties are on normal commercial terms and conditions no mote favourable than those available to other parties unless otherwise stated.

The ultimate controlling entity of the Branch is the Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union, National Council.

Transactions with Ultimate Controlling Entity:

a) Remittances from National Council are disclosed in the Statement of Financial Performance.

INDEPENDENT AUDIT REPORT

TO THE MEMBERS OF THE AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINITING AND KINDRED INDUSTRIES UNION VICTORIAN BRANCH

Scope

The financial report and the Responsibility of Committee of Management and Branch Secretary:

The financial report comprises the statement of assets and liabilities, statement of income and expenditure, statement of cash flows, accompanying notes to the financial statements, and the Statement of the Committee of Management of the Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union Victorian Branch for the year ended 30 September 2004.

The state council is responsible for the preparation and true and fair presentation of the financial report in accordance with the *Workplace Relations Act 1996*. This includes responsibility for the maintenance of adequate accounting records and internal controls that are designed to prevent and detect fraud and error, and for the accounting policies and accounting estimates inherent in the financial report.

Audit Approach

We conducted an independent audit in order to express an opinion to the members of the Branch. Our audit was conducted in accordance with Australian Auditing Standards, in order to provide reasonable assurance as to whether the financial report is free of material misstatement. The nature of an audit is influenced by factors such as the use of professional judgment, selective testing, the inherent limitations of internal control, and the availability of persuasive rather than conclusive evidence. Therefore, an audit cannot guarantee that all material misstatements have been detected.

We performed procedures to assess whether in all material respects the financial report presents fairly, in accordance with the *Workplace Relations Act 1996*, including compliance with Accounting Standards and other mandatory financial reporting requirements in Australia, a view which is consistent with our understanding of the Branch's financial position, and of their performance as represented by the results of their operations and cash flows.

We formed our audit opinion on the basis of these procedures, which included:

- examining, on a test basis, information to provide evidence supporting the amounts and disclosures in the financial report, and
- assessing the appropriateness of the accounting policies and disclosures used and the reasonableness of significant accounting estimates made by the Committee of Management.

While we considered the effectiveness of management's internal controls over financial reporting when determining the nature and extent of our procedures, our audit was not designed to provide assurance on internal controls.

Independence

In conducting our audit, we followed applicable independence requirements of Australian professional ethical pronouncements and the section 256 of the Workplace Relations Act 1996.

INDEPENDENT AUDIT REPORT (CONTINUED).

Audit Opinion

In our opinion, the general purpose financial report of the Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union Victorian Branch presents fairly in accordance with applicable Australian Accounting Standards and other mandatory professional reporting requirements in Australia as well as the requirements of the RAO Schedule of the Workplace Relations Act 1996.

HAYES KNIGHT

Peter T. Sexton Partner

Dated:

-October 2004 Vs. 7 17 34c