



Australian Education Union

New South Wales Branch

Federal Office: 120 Clarendon Street, South Melbourne VIC 3205

NSW Branch Office: 23-33 Mary Street, Surry Hills NSW 2010

FKZ004/750

6 June 2005

In reply please quote:

Australian Industrial Registry (NSW Branch)
80 William Street
EAST SYDNEY NSW 2011

M:\Accounts\YEARENDB\AEU\2004\Registry_AnnualRet2004.doc

Dear Sir/Madam

Re: Australian Education Union (NSW Branch) Financial Documents for the year ending 31 December 2004.

Please find enclosed duly completed:

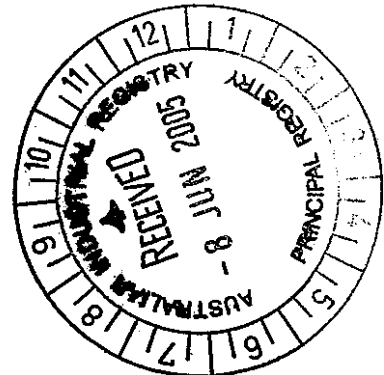
- a) Certificate of Secretary [Sec268, schedule 1B RAO]
- b) Copy of the certified accounts for year ending 31 December 2004
- c) Copy of Auditors Report
- d) Copy of Education Journal Vol. 86 No. 4, 9 May 2005 (page 20), publication of the Australian Education Union (NSW Branch) Financial Statements for year ending 31 December 2004.

Please note that the following requirements are included in the 'Auditors Accounts':

- Certificate of Secretary [S268 of RAO]
- Committee of Management Statement [S272 of RAO]
- Operating Report

Yours sincerely

BARRY JOHNSON
BRANCH SECRETARY



AUSTRALIAN EDUCATION UNION
(NEW SOUTH WALES BRANCH)

CERTIFICATE OF SECRETARY OR OTHER AUTHORISED OFFICER

s268 of Schedule 1B Workplace Relations Act 1996

I, Barry Johnson, being the Officer of the Australian Education Union (New South Wales Branch), certify:

- that the documents lodged herewith are copies of the full report, referred to in s268 of the RAO Schedule; and
- that the full report, was provided to members on 12th March 2005; and
- that the full report was presented to a general meeting of members on a meeting of the Committee of Management of Australian Education Union (NSW Branch) on 12th March 2005; in accordance with section 266 of the RAO Schedule.

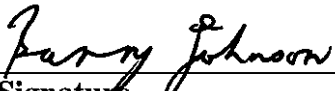
Signature: *Barry Johnson*

Date: *1 June, 2005*

RAO regulation 162 prescribes the designated officer for the purpose of RAO schedule s268 as:

- (a) the secretary; or
- (b) an officer of the organisation other than the secretary who is authorised by the organisation or by the rules of the organisation to sign the certificate mentioned in that paragraph.

"I certify this copy to be a true copy of the original"


Signature

**BARRY JOHNSON
BRANCH SECRETARY**

**AUSTRALIAN EDUCATION UNION
(NEW SOUTH WALES BRANCH)**

ABN: 86 600 150 697

**FINANCIAL REPORT
31 DECEMBER 2004**

**AUSTRALIAN EDUCATION UNION
(NEW SOUTH WALES BRANCH)**

OPERATING REPORT

Your committee present the report on the union for the financial year ended 31 December 2004.

Members of Committee

The name of the members of committee of management in office at any time during or since the end of the financial year are:

Frank Barnes	Kathy Deacon	Nola Edsall
Sally Edsall	Joan Lemaire	Christiaan Goudkamp
Robert Libsombe	Brenda Seymour	Barry Johnson
Michelle Rosicky	Henry Rajendra	Sue Simpson
Fionie Stewart	Deborah Westacott	Sui-Linn White
Jennifer Leete	Angelo Gavrielatos	Maree O'Halloran
Phil Bradley	John Dixon	John Irving

The members of committee of management has been in office since the start of the financial year to the date of this report unless otherwise stated.

Operating Results

The surplus of the entity for the financial year was \$623 (2003:\$185)

Review of Operations

A review of the operations of the entity during the financial year and the results of those operations found that during the year, the entity continued to engage in its principal activity, the results of which are disclosed in the attached financial statements.

Significant Changes in State of Affairs

No significant changes in the state of affairs of the entity occurred during the financial year.

Principal Activity

The principal activity of the entity during the financial year was promotion of union activities within the education sector. No significant change in the nature of these activities occurred during the year.

After Balance Date Events

No matters or circumstances have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the entity, the results of those operations, or the state of affairs of the entity in future financial years

Employees/Members

The economic entity did not have any employees during the year. The number of financial members at 31 December 2004 was 58,277.

Rights of members to resign

Members may resign from the union in accordance with rule 17, which reads as follows:

"17 - Resignation from membership and termination of eligibility

- (3) A member may resign from of the Union by written notice addressed to and delivered to the Secretary of the Branch to which the member is attached.
- (4) A notice of resignation from membership takes effect:-

**AUSTRALIAN EDUCATION UNION
(NEW SOUTH WALES BRANCH)**

OPERATING REPORT

- (a) where the member ceases to be eligible to become a member of the Union-
 - (i) on the day on which the notice is received at the office of the relevant Branch Secretary; 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; which is later; or
- (b) in any other case -
 - (i) at the end of 2 weeks after the notice is received at the office of the relevant Branch Secretary; or
 - (ii) on the day specified in the notice; whichever is later.
- (5) Any subscriptions, levies or fines which are due and payable but have not been paid by a former member in relation to a period before the member's resignation took effect, may be sued for and recovered in the name of the Union, in a court of competent jurisdiction, as a debt due to the Union.
- (6) A notice delivered to the relevant Branch Secretary shall be taken to have been received by the Union when it was delivered.
- (7) A notice of resignation that has been received at the office of the relevant Branch Secretary is not invalid because it was not addressed and delivered in accordance with sub-rule (1).
- (8) A resignation from membership is valid even if it is not effected in accordance with this section if the member is informed in writing by or on behalf of the Union that the resignation has been accepted.
- (9) A relevant Branch Secretary may accept a resignation from membership which is not effected in accordance with this Rule.
- (10) Where the relevant Branch Secretary accepts a resignation in accordance with the previous sub-rule the relevant Branch Secretary shall inform the member in writing that his/her resignation has been accepted.
- (11) On receipt of a written notice from a member that he/she has become ineligible for membership of the Union or a notice of resignation or on acceptance of a resignation which is not effected in accordance with this Rule, the Branch Secretary shall, as soon as possible notify the Federal Secretary that the member has become ineligible for membership or that the member has resigned."

Superannuation Trustees

The economic entity does not engage Superannuation Trustees in its operations.

**AUSTRALIAN EDUCATION UNION
(NEW SOUTH WALES BRANCH)**

COMMITTEE OF MANAGEMENT STATEMENT

On 12th March 2005 the Committee of Management of Australian Education Union (NSW Branch) passed the following resolution in relation to the general purpose financial report (GPFR) of the Australian Education Union (NSW Branch) for the financial year ended 31st December 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 for the financial year to which they relate;
- (d) there are reasonable grounds to believe that the entity 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 were held in accordance with the rules of the organisation including the rules of a branch concerned; and
 - (ii) the financial affairs have been managed in accordance with the rules of the organisation including the rules of a branch concerned; and
 - (iii) the financial records have been kept and maintained in accordance with the RAO Schedule and the RAO Regulations; and
 - (iv) where the organisation consists of 2 or more entities, the financial records of 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) the information sought in any request of a member or a Registrar duly made under section 272 of the RAO Schedule has been furnished to the member of Registrar; and
 - (vi) there has been compliance with any order for inspection of financial records made by the Commission under section 273 of the RAO Schedule.

For Committee of Management: *Barry Johnson*
Title of Office held: *Branch Secretary*
Signature: *Barry Johnson*

**AUSTRALIAN EDUCATION UNION
(NEW SOUTH WALES BRANCH)**

**STATEMENT OF FINANCIAL PERFORMANCE
FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2004**

	Note	2004 \$	2003 \$
REVENUE FROM ORDINARY ACTIVITIES			
Grants		2,050	1,725
Interest received		573	242
Agency collections		1,392,195	1,360,310
		<u>1,394,818</u>	<u>1,362,277</u>
EXPENSES FROM ORDINARY ACTIVITIES			
Audit fees	5	1,750	1,600
Capitation fees paid to Federal Office		1,392,195	1,360,310
Other fees paid to Federal Office		-	-
		<u>1,393,945</u>	<u>1,361,910</u>
Total WRA Regulations disclosures		<u>1,393,945</u>	<u>1,361,910</u>
Bank charges		<u>250</u>	<u>182</u>
Total other administration expenses		<u>250</u>	<u>182</u>
		<u>1,394,195</u>	<u>1,362,092</u>
TOTAL EXPENSES FROM ORDINARY ACTIVITIES		<u>1,394,195</u>	<u>1,362,092</u>
SURPLUS FROM ORDINARY ACTIVITIES		<u>623</u>	<u>185</u>
TOTAL CHANGES IN EQUITY		<u>623</u>	<u>185</u>

The Financial Statements should be read in conjunction with the accompanying notes.

**AUSTRALIAN EDUCATION UNION
(NEW SOUTH WALES BRANCH)**

STATEMENT OF FINANCIAL POSITION AS AT 31 DECEMBER 2004

	Note	2004 \$	2003 \$
CURRENT ASSETS			
Cash assets		7,607	6,984
Receivables		<u>1,750</u>	<u>1,600</u>
TOTAL CURRENT ASSETS		<u>9,357</u>	<u>8,584</u>
TOTAL ASSETS		<u>9,357</u>	<u>8,584</u>
CURRENT LIABILITIES			
Payables		<u>1,750</u>	<u>1,600</u>
TOTAL CURRENT LIABILITIES		<u>1,750</u>	<u>1,600</u>
TOTAL LIABILITIES		<u>1,750</u>	<u>1,600</u>
NET ASSETS		<u>7,607</u>	<u>6,984</u>
EQUITY			
Retained surplus at the beginning of the financial year		6,984	6,799
Surplus for the year		<u>623</u>	<u>185</u>
Retained surplus at the reporting date		<u>7,607</u>	<u>6,984</u>

The Financial Statements should be read in conjunction with the accompanying notes.

**AUSTRALIAN EDUCATION UNION
(NEW SOUTH WALES BRANCH)**

**STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 31 DECEMBER 2004**

	Note	2004 \$	2003 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Grants received		1,900	1,500
Receipts from members		1,392,195	1,360,310
Interest received		573	242
Payments in the course of operations		<u>(1,394,045)</u>	<u>(1,360,492)</u>
Net cash provided by operating activities	6 (a)	623	1,560
CASH FLOWS FROM INVESTING ACTIVITIES			
		-	-
CASH FLOWS FROM FINANCING ACTIVITIES			
		-	-
Net increase in cash held		<u>623</u>	<u>1,560</u>
Cash at beginning of year		<u>6,984</u>	<u>5,424</u>
Cash at end of the year	6 (b)	<u>7,607</u>	<u>6,984</u>

The Financial Statements should be read in conjunction with the accompanying notes.

**AUSTRALIAN EDUCATION UNION
(NEW SOUTH WALES BRANCH)**

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2004**

NOTE 1: STATEMENT OF ACCOUNTING POLICIES

The financial report is a general purpose financial report that has been prepared in accordance with Australian Accounting Standards, Urgent Issues Group Consensus Views, and other authoritative pronouncements of the Australian Accounting Standards Board, including the requirements of the Workplace Relations Act 1996.

The financial report is prepared on an accrual basis and is based on historical costs and does not take into account changing money values, or except where stated, the current value of non-monetary assets.

The accounting policies adopted have been consistently applied, unless otherwise stated.

a Income Tax

No provision for income tax is necessary as the Australian Education Union (New South Wales Branch) is exempt from tax under Sec 23(f) for the Income Tax Assessment Act.

b Revenue

Grant revenue is recognised in the period in which it is received.

Agency revenue is recognised for the financial period to which it relates. Agency revenue received in advance is recognised as a liability at balance date.

c Adoption of Australian Equivalent to International Financial Reporting Standards

The Branch's management in consultation with its auditors has assessed the significance of these changes and have concluded that there will be no significant changes required to the Branch's accounting policies.

NOTE 2: CAPITAL EXPENDITURE COMMITMENTS

No Capital Expenditure contracted for.

NOTE 3: RELATED PARTY INFORMATION

(a) Executive Officers

The Chief Executive Officer (Branch Secretary) during the year was Barry Johnson.

AUSTRALIAN EDUCATION UNION
(NEW SOUTH WALES BRANCH)

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2004

NOTE 3: RELATED PARTY INFORMATION (CONTINUED)

- (a) Persons holding positions as executive (committee of management) members during the year were:

Frank Barnes	Kathy Deacon	Nola Edsall
Sally Edsall	Joan Lemaire	Christiaan Goudkamp
Robert Libsombe	Brenda Seymour	Barry Johnson
Michelle Rosicky	Henry Rajendra	Sue Simpson
Fionie Stewart	Deborah Westacott	Sui-Linn White
Jennifer Leete	Angelo Gavrielatos	Maree O'Halloran
Phil Bradley	John Dixon	John Irving

No remuneration was received by officers or executive members during the year.

- (b) Related party transactions

Agency Collection fees paid to the Australian Education Union during 2004 was \$1,392,195 (2003: \$1,360,310). Agency Collection fees were received from the New South Wales Teachers Federation for the same amount.

NOTE 4: NOTICE REQUIRED UNDER WORK PLACE RELATIONS ACT 1996

In accordance with the requirements of the Work Place Relations Act 1996, the attention of members is drawn to the following provisions of the Act:-

S.274

- (1) A member of an organisation, or a Registrar, may apply to the organisation for specified prescribed information in relation to the organisation.
- (2) An organisation shall, on application made under subsection (1) by a member of the organisation or a Registrar, make the specified information available to the member or Registrar in such a manner, and within such time as prescribed.
- (3) A Registrar may only make an application under subsection (1) at the request of a member of the organisation concerned, and the Registrar shall provide to a member information received because of application made at the request of the member.

AUSTRALIAN EDUCATION UNION
(NEW SOUTH WALES BRANCH)

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2004

	2004 \$	2003 \$
NOTE 5: AUDITOR'S REMUNERATION		
Audit fees	<u>1,750</u>	<u>1,600</u>
NOTE 6: CASH FLOW INFORMATION		
(a) Reconciliation of net cash inflow from operating activities to operating surplus:		
Operating surplus	623	185
Changes in assets and liabilities during the financial year:		
(Increase) in debtors	(150)	(225)
Increase in creditors	<u>150</u>	<u>1,600</u>
Net cash inflows from operating activities	<u>623</u>	<u>1,560</u>
(b) Reconciliation of Cash:		
Cash at the end of the financial year is reconciled to items in the statement of financial position as follows:		
Cash at bank	<u>7,607</u>	<u>6,984</u>

**AUSTRALIAN EDUCATION UNION
(NEW SOUTH WALES BRANCH)**

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2004**

NOTE 7: FINANCIAL INSTRUMENTS

The Branch does not participate in the use of derivative financial instruments.

(a) Credit Risk

The maximum exposure to credit risk, excluding the value of any collateral or any other security, at balance date to recognise financial assets is the carrying amount, net of any provision for doubtful debts, as disclosed in the balance sheet and notes to the financial statements.

The Branch does not have any material credit risk exposure to any single debtor or group of debtors under financial instruments entered into by the Branch.

(b) Net Fair Values

The net fair values of debtors, loans and other amounts are determined by discounting the cash flows, at the market interest rates of similar securities, to their present values.

The carrying amount of all financial assets and liabilities does not exceed their net fair value.

(c) Interest Rate Risk

The Branch 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 is minimal as all financial assets and liabilities are non-interest bearing.

NOTE 8: SEGMENT REPORTING

The Branch operates in one business segment being the Trade Union sector providing services to its members within one geographic segment being New South Wales.

NOTE 9: ORGANISATION DETAILS

The registered office and principal place of business of the Australian Education Union (New South Wales Branch) is 23-33 Mary Street Surry Hills.

INDEPENDENT AUDIT REPORT TO MEMBERS OF THE AUSTRALIAN EDUCATION UNION (NEW SOUTH WALES BRANCH)

Scope

The financial report and the executive's responsibility

The financial report comprises the statement of financial position, statement of financial performance, statement of cash flows, accompanying notes to the financial statements, the accounting officer's certificate and the certificate by the Committee of Management (the Executive) for the Australian Education Union (New South Wales Branch) for the year ended 31 December 2004.

The Executive of the Federation is responsible for the preparation and true and fair presentation of the financial report in accordance with Australian accounting standards, other mandatory professional reporting requirements and the Industrial 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 Australian Education Union (New South Wales 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 Australia accounting standards, including other mandatory financial reporting requirements in Australia and the Industrial Relations Act 1996, a view which is consistent with our understanding of the company's financial position, and of its performance as represented by the results of its 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 council.

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.

Level 17, 383 Kent Street
Sydney NSW 2000
PO Locked Bag Q800
QVB Post Office
Sydney NSW 1230
T +61 2 8297 2400
F +61 2 9299 4445
E info@gt NSW.com.au
W www.granthornton.com.au

Grant Thornton NSW
A New South Wales Partnership
ABN 25 034 787 757

Liability limited by the Accountants Scheme, approved
under the Professional Standards Act 1994 (NSW)

Member of Grant Thornton Association Inc
Member of Grant Thornton International

**INDEPENDENT AUDIT REPORT TO MEMBERS OF THE
AUSTRALIAN EDUCATION UNION (NEW SOUTH WALES BRANCH) (cont)**

Independence

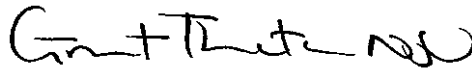
In conducting our audit, we followed applicable independence requirements of Australian professional ethical pronouncements.

Audit opinion

In our opinion:

- a satisfactory accounting records were kept by the Branch in respect of the year ended 31 December 2004, including:
 - i records of the sources and nature of the income of the Branch (including income from members); and
 - ii records of the nature and purposes of expenditure of the Branch; and
- b the financial statements and other statements required to be prepared under sec 510 of the Industrial Relations Act 1996 have been properly drawn up so as to give a true and fair view of:
 - i the financial affairs of the Branch as at 31 December 2004; and
 - ii the income and expenditure, and surplus, of the Branch for the year ended on that date; and
- c the financial statements have been prepared in accordance with Accounting Standards and other mandatory professional reporting requirements in Australia.

We have obtained all the information and explanations we required from the officers and employees of the Branch, which were necessary for the purposes of our audit, and there were no deficiencies, failures or shortcomings in relation to the matters referred to above.



GRANT THORNTON NSW
Chartered Accountants



M A ADAM-SMITH
Partner

Sydney

12 March 2005

YEAR END ACCOUNTS



Australian Education Union (NSW branch)

These accounts are a brief summary of the activities of the New South Wales Branch of the federal union, the Australian Education Union.

The 2004 year was one in which very little activity occurred and the financial activity was mostly limited to the receipt of funds collected on behalf of the Federal branch of the union by the New South Wales Teachers Federation. These funds were received and then transferred to the federal body in line with the contract agreed to for this purpose.

Barry Johnson

Barry Johnson
Branch Secretary

Summary of the financial statements for the financial year ended 31 December 2004

The financial statements of the Union have been audited in accordance with the provisions of the Workplace Relations Act 1996 and the following summary is provided for members in accordance with Section 279(2) of the Act.

A copy of the Auditors' Report, Accounts and Statements will be supplied free of charge to members who request same.

Certificates required to be given under the Act by the Accounting Officer and the Committee of Management have been completed in accordance with the provisions of the Act and contain no qualifications.

In accordance with the requirements of the Workplace Relations Act 1996, the attention of members is drawn to the provisions of Section 274 (1) and (2) and (3), which read as follows:

(1) A member of an organisation, or a Registrar, may apply to the organisation for specified prescribed information in relation

(2) An organisation shall, on application made under subsection (1) by a member of the organisation or a Registrar, make the specified information available to the member or Registrar in such a manner, and within such time, as prescribed.

(3) A Registrar may only make an application under subsection (1) at the request of a member of the organisation concerned, and the Registrar shall provide to a member information received because of an application made at the request of the member.

Summary statement of financial position as at 31 December 2004

	2004	2003
	\$	\$
EQUITY	7,607	6,984
Current assets	9,357	8,584
TOTAL ASSETS	9,357	8,584
Current Liabilities	1,750	1,600
Total liabilities	1,750	1,600
NET ASSETS	7,607	6,984

Summary statement of financial performance for the financial year ended 31 December 2004

	2004	2003
	\$	\$
Membership fees	1,392,195	1,360,310
Other income	2,623	1,967
	1,394,818	1,362,277
Less expenditure	1,394,195	1,362,092
SURPLUS FROM ORDINARY ACTIVITIES	623	185

Independent audit report to the members of the Australian Education Union (New South Wales Branch)

Scope

We have audited the summarised financial report of Australian Education Union (New South Wales Branch) for the year ended 31 December 2004, comprising the Summary Statement of Financial Position and the Summary Statement of Financial Performance, in accordance with Australian Auditing Standards.

Audit opinion

In our opinion:

- the information reported in the summarised financial report is consistent with the full annual statutory financial report of the Branch from which it is derived and upon which we expressed an unqualified audit opinion in our report to the members dated 12 March 2005; and
- the information reported in the summarised financial report is a fair and accurate summary of the full report, accounts and statements of the Branch.

For a better understanding of the scope of our audit, this report should be read in conjunction with our audit report on the full annual statutory financial report. This unqualified audit report on the full statutory financial report did not contain any particulars of any deficiency failure or shortcoming as referred to in the Workplace Relations Act 1996.

Grant Thornton
GRANT THORNTON NSW
Chartered Accountants

M A Adam-Smith
M A ADAM-SMITH
Partner



Australian Government
Australian Industrial Registry

Statutory Services Branch
Level 35, Nauru House
80 Collins Street, Melbourne, VIC 3000
GPO Box 1994S, Melbourne, VIC 3001
Telephone: (03) 8661 7777
Fax: (03) 9654 6672

Mr Barry Johnson
Branch Secretary
New South Wales Branch
Australian Education Union
22-23 Mary Street
Surry Hills NSW 2010

Dear Mr Johnson,

**Re: R2004/750 - Financial documents for year ended 31 December 2004 -
New South Wales Branch - Australian Education Union**

I am in receipt of your letter dated 6 June 2005 and attached documents, relating to the financial affairs of the Australian Education Union, NSW Branch, for the year ended 31 December 2004. The documents were received in the NSW Registry on 7 June 2005.

There are a number of matters which do not appear to fully comply with the requirements of the Registration and Accountability of Organisations Schedule to the Workplace Relations Act 1996 (**the RAO Schedule**). The following matters are raised for your attention when preparing financial documents for the next and subsequent financial years.

1. Secretary's Certificate

Your certificate refers to the documents being presented to "*a general meeting of members on a meeting of the Committee of Management*" (my underlining). It is thus not clear to which type of meeting (or perhaps both), the documents were presented.

The certificate indicates that the documents were provided to members on 12 March 2005 (the same day as the meeting). If the documents were presented to a general meeting, then this would not comply with s265(5), which requires the full report to be provided at least 21 days before the general meeting. If the documents were presented to a Committee of Management meeting, there would be no problem as the only requirement in that case is that they be provided to members within 5 months of the end of the financial year.

2. Operating Report

The item headed Superannuation Trustees may indicate a misunderstanding of the requirement found in s254(2)(d) of the RAO Schedule. That provision requires details to be given of any officer or member who holds a position as trustee (or director of a trustee company) of a superannuation fund, by virtue of being an officer or member of the organisation or branch. This would occur for instance, where the trust deed of an industry or employer super fund specified that the union or branch was entitled to nominate a trustee for the fund. The requirement does not relate to the engagement of trustees by the branch.

3. Audit Report

Paragraph b of the audit opinion refers to “*sec 510 of the Industrial Relations Act 1996*”, which may be a reference to state rather than federal legislation. It also uses the terminology “*true and fair view*”.

Subsection 257(5) of the RAO Schedule sets out some of the requirements for inclusion in the auditors report. An alternative form of words for paragraph b which would meet these requirements is:

“In our opinion the general purpose financial report is presented fairly in accordance with applicable Australian Accounting Standards and the requirements imposed by Part 3 of Chapter 8 of Schedule 1B of the Workplace Relations Act 1996.”

4. Summary of financial report

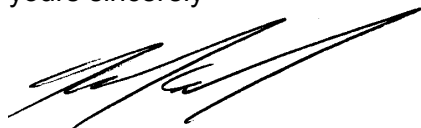
A page of the May 9 edition of *Education* was included with the documents lodged.

As your certificate states that the full report was provided to members on 12 March 2005, the contents of the summary may not be relevant this year. Should the branch resolve in future years not to provide the full report to members, it is important to note that the only alternative under the RAO Schedule is to provide a “concise report” which complies with s265(3) of the Schedule. This is a much more detailed document than the “summary” which the previous legislation allowed.

The summary contained on the page of May 9 edition of *Education* would not meet the requirements of a concise report under the current legislation.

If you wish to discuss this correspondence, I may be contacted on (03) 8661 7984 or by email at ken.ophel@air.gov.au.

yours sincerely



Ken Ophel
Statutory Services Branch
5 July 2005