



**AUSTRALIAN INDUSTRIAL REGISTRY**

Level 8, Terrace Towers  
80 William Street, East Sydney, NSW 2011  
Telephone: (02) 8374 6666  
Fax: (02) 9380 6990

**Ref: FR2002/785-[001N]**

Mr Michael Fleming  
Secretary  
The Australian Maritime Officers' Union  
PO Box K407  
HAYMARKET NSW 1240

Dear Mr Fleming

**Re: Australian Maritime Officers' Union, The  
Financial Reporting Obligations under *Workplace Relations Act 1996***

This is a courtesy letter to remind you of the financial reporting obligations of the abovenamed body under the *Workplace Relations Act 1996* ('the Act') for the financial year ended 31 December, 2002.

The legislative scheme set out in Part IX, Division 11 of the Act is directed at ensuring that a registered organisation or a branch of such an organisation discharges obligations of accountability to its members in relation to its financial affairs through proper and regular disclosure of financial information. The various steps of the financial reporting requirements must be carried out within the time-scales prescribed by the legislation so as to ensure the relevance of the financial information provided to the members.

Now that the financial year has ended, it is timely that you put in train the various steps of the financial reporting requirements. To assist you with this process I have enclosed for your information a notice summarising these requirements including the time-scales prescribed by the legislation.

Please note that a branch of an organisation may be exempted from the obligations arising under Part IX, Division 11 in respect of a financial year by satisfying a Registrar that the branch did not have any financial affairs during the financial year. An application under subsection 271A(1) of the Act must be made within 90 days (unless extended by a Registrar) after the end of the financial year.

Please do not hesitate to contact me on (02) 8374 6618 if you wish to discuss the financial reporting requirements, especially if you anticipate any difficulty in meeting any step in the time-scales prescribed.

Yours sincerely

Belinda Penna  
E-mail: [belinda.penna@air.gov.au](mailto:belinda.penna@air.gov.au)  
5 February 2003



## AUSTRALIAN INDUSTRIAL REGISTRY

Level 8, Terrace Towers  
80 William Street, East Sydney, NSW 2011  
Telephone: (02) 8374 6666  
Fax: (02) 9380 6990

Our ref: FR2002/785

Mr Michael Fleming  
Secretary  
The Australian Maritime Officers Union  
PO Box K407  
HAYMARKET NSW 1240

Dear Mr Fleming

**Re: The Australian Maritime Officers Union  
Outstanding Financial Documents - *Workplace Relations Act 1996***

There is no record of lodgement in the Industrial Registry of the auditor's report, accounts and statements of the abovenamed body, prepared in accordance with Part IX, Division 11 of the *Workplace Relations Act 1996* ('the Act'), for the year ended 31 December 2002.

An organisation registered under the Act or a branch of such an organisation is required after the end of its financial year to prepare accounts and statements, obtain a report from the auditor, provide copies of the auditor's report, accounts and statements to its members, present the auditor's report, accounts and statements to a meeting of members or committee of management, and lodge copies in the Industrial Registry. Having in mind the time-scales allowed by the Act to complete each of these steps, lodgement of the required documents would, in the normal course, be expected before now.

Therefore, I request your written advice **by Monday 17 November 2003** as to when each of the following steps is expected to be completed:-

1. preparation of the accounts and statements in compliance with section 273
2. making of the audit report in compliance with section 276(4)
3. provision of copies of the auditor's report, accounts and statements to the members in compliance with sections 279(1) and (3)
4. presentation of the financial documents to a meeting of the members or the committee of management in compliance with sections 279(6) and (7) (*following provision of copies to the members as per step 3 above*)
5. lodgement of copies of the financial documents in the Industrial Registry under cover of a certificate by you in compliance with section 280(1) - such certificate should confirm that the documents so lodged are copies of the documents presented to the meeting referred to in step 4 above - the type of meeting and the date when it was held should be specified.

If you wish to discuss this letter please contact me on (02) 8374 6618.

Yours sincerely

Belinda Penna  
for Deputy Industrial Registrar

31 October 2003



AUSTRALIAN INDUSTRIAL REGISTRY

Level 8, Terrace Towers  
80 William Street, East Sydney, NSW 2011  
Telephone: (02) 8374 6666  
Fax: (02) 9380 6990

Mr Michael Fleming  
Secretary  
The Australian Maritime Officers Union  
PO Box K407  
HAYMARKET NSW 1240

Dear Mr Fleming

**Financial Return for year ending 31 December 2002**

The Registry wrote to you on 31 October 2003 seeking your written advice by 17 November 2003 as to when lodgement of this return could be expected. No reply has been received to that letter.

As outlined in that letter and our earlier letter of 5 February 2003, the *Workplace Relations Act 1996* requires an organisation to prepare financial accounts and statements and lodge them with the auditor's report within the time scales set out in Part IX, Division 11 of that Act.

As you would appreciate, the financial reporting provisions of the Act are an important means of ensuring organisations are accountable to their members and operate effectively. The Registry is seeking to improve the level of compliance generally with these provisions. The timely lodgement of financial returns is essential.

The Registry also appreciates that unforeseen problems may arise in the preparation of financial reporting documents from time to time which may cause delay in meeting these requirements. The *Workplace Relations Act* therefore provides for the Registrar to grant extensions of time to complete certain steps in the financial return process including lodgement of the return.

If your organisation is experiencing difficulties of this nature, it should inform the Registry of the nature of the difficulty, indicate why it will affect its capacity to lodge on time and the period of any expected delay. This contact can be initiated by phone to the Registry and preferably then confirmed by letter or email formally requesting the Registrar to grant an extension of time if necessary.

As your organisation's return is now well overdue, I would appreciate your written response to this letter by 13 February 2003.

Yours sincerely

Peter McKerrow  
Assistant Manager  
NSW Registry

4 February 2004

# MINUTE

AUSTRALIAN INDUSTRIAL REGISTRY

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**Contact Officer:** Peter McKerrow  
**Telephone No:** 02 8374 6666  
**Facsimile No:** 02 9380 6990

**Your Reference:**  
**My Reference:**

AMOU Financial Return y/e 31 December 2002

I spoke to Mr Michael Fleming, Secretary of the AMOU today who advised that the organisation would try to lodge its return by the end of this week. He apologised for the delay due to staff illness and leave.

Peter McKerrow

3 March 2004



Australian Government  
Australian Industrial Registry

Level 8, Terrace Towers  
80 William Street, East Sydney, NSW 2011  
Telephone: (02) 8374 6666  
Fax: (02) 9380 6990

Mr Michael Fleming  
Secretary  
The Australian Maritime Officers Union  
PO Box K407  
HAYMARKET NSW 1240

Dear Mr Fleming

I refer to previous correspondence from the Registry concerning lodgement of your organisation's annual return of information for the years 2002 (AR2003/178) and 2003 (AR2004/308) and its financial return for the year ending 31 December 2002 (FR2002/785).

Annual Returns

AR2003/178

As outlined in the Registry's letter to you of 18 February 2003, your organisation was required to lodge in the Registry prior to 1 April 2003 the following documents pursuant to subsection 268(3)(b) of the *Workplace Relations Act 1996*:

- List of offices in the organisation and each branch of the organisation;
- List of names, postal addresses and occupations of the persons holding those offices as at 1 January 2003
- Address of the office of the organisation and each branch of the organisation;
- Name of each branch of the organisation
- A record of each election that must, under the rules of the organisation, be held during the year commencing 1 April 2003 for an office in the organisation or branch.

In addition your organisation was required to lodge a statement by 1 March 2003 of the number of persons who were, on 1 January in that year; both:

- (i) members of the organisation; and
- (ii) employees or independent contractors.

Each of the above is required to be lodged under cover of a Commonwealth statutory declaration certifying that the information is correct. The statutory declaration must also declare that the register of members has during the immediate preceding calendar year been kept and maintained as required by subsections (1) and (2) of s268 of the Act.

You will also be aware that Workplace Relations Regulation 43 requires organisations of employees (unions) to lodge annual statements concerning the number of members as at 1 January each year. This information was required no later than 1 March 2003.

To date this information has not been lodged and is substantially overdue.

AR2004/308

In its letter of 16 January 2004, the Registry drew your attention to the provisions of the RAO Schedule including an organisation's obligation under s233 to lodge a declaration and a copy of certain records in the Registry. Your organisation's annual return must now include the information which was summarised in the table included with that letter. I have attached a copy of that table.

This information was required to be lodged by 31 March 2004. To date your organisation has not lodged this information.

Section 233(1) is by virtue of s305(2)(q) a civil penalty provision.

#### Outstanding Information from previous years

In its letter of April 2004, the Registry noted that AR2004/308 was overdue and that information required to be lodged for previous years had not yet been supplied. In summary that information included:

- number of members and employees or independent contractors as at 1 January 1999, 2000, 2001 and 2003.
- list of offices of the organisation and persons holding those offices at 1 January 1999 and 1 January 2000
- the address of the offices of the organisation as at 1 January 1999 and 1 January 2000
- a statement listing any elections which must be held during the years commencing 1 April in each of 2000 and 2001.

#### Financial Returns

FR2002/785

In its letter of 31 October 2003 the Registry summarised the various steps in the financial reporting process set out in Part IX, Division 11 of the Act and sought your written advice by 17 November 2003 as to when your organisation would complete them for the financial year ending 31 December 2002. In the absence of any response to this letter, the Registry wrote to you again on 4 February 2004 seeking your response by 13 February 2004. On 3 March 2004 you indicated in a discussion with a Registry officer that the documents would be lodged shortly. Your organisation's financial return for the financial year ending 31 December 2002 has not yet been lodged and is substantially overdue.

FR2003/666

In its courtesy letter of 12 January 2004, the Registry noted your organisation's obligation to lodge its financial return for the year ending 31 December 2003. Under the timescales for the performance of the relevant steps in the process for this financial year, your organisation's auditor should have reported by 30 June 2004. Within 56 days of that report, your organisation should have provided the financial documents and auditor's report to members and a "second meeting" to consider those reports should have taken place no later than 84 days after the auditor's report. Lodgement of the documents in the Registry would be due within 14 days of that meeting.

#### RAO Schedule

The financial reporting provisions of the Schedule set out in Chapter 8 will, for its current and future financial years apply to your organisation instead of the provisions of Part IX, Division 11 of the Act. A number of Fact Sheets outlining the RAO Schedule's provisions were forwarded to your organisation in May 2003 when the Schedule's provisions generally came into effect. Copies of the Fact Sheets and links to the legislation are also available on our website.

As you will note, the RAO financial reporting process includes obligations on organisations to prepare financial reports, have them audited, provide them to members and lodge them in the Industrial Registry within the time limits set out. The Industrial Registrar may extend certain time limits in this process; other time limits are strict. The RAO Schedule now also provides for the imposition of civil penalties on persons or organisations contravening certain financial and reporting provisions of the Schedule including failure to carry out certain steps of the reporting process within statutory time limits.

## Record of Compliance

I have reviewed your organisation's general record of compliance with its obligations to lodge financial and other information. The Registry's records indicate that your organisation has generally failed to adhere to the statutory time limits for lodging its annual and financial returns and has omitted information required under the legislation.

As outlined above, your organisation's annual returns for calendar years 2002 and 2003 are both overdue. I note that certain information for calendar years 1999 and 2000 was not provided until June 2002.

As noted above, your organisation's financial return for the year ending 31 December 2002 is overdue. Financial returns for the years ending 31 December 1998, 1999 and 2000 were lodged in June 2002, well after they were due. Certain relevant information and documents required in those returns was initially omitted from the documents lodged but supplied later.

The Registry appreciates that unforeseen difficulties may arise in the preparation of documents required to be lodged. In certain circumstances, the Industrial Registrar may extend the time for organisations to conduct certain steps in the financial reporting process. However, delays, otherwise unexplained, and failures to respond to Registry inquiries on the progress of your organisation's compliance with its outstanding statutory reporting obligations are matters of concern to the Industrial Registrar.

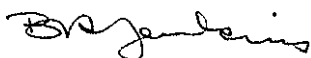
## Meeting

I invite you and any other members of your committee of management to meet with me at your earliest convenience to discuss these matters. I would also like to take the opportunity the meeting presents to outline to you the reporting and civil penalty provisions of the RAO Schedule which now affect your organisation and to respond to any questions you may have.

The Registry welcomes the opportunity to assist your organisation's officers and employees with any information and advice on how to meet the reporting and other requirements of the Act and Schedule.

I will endeavour to make myself available for a meeting at a time that is suitable to you and I look forward to meeting you shortly. Please phone me on 8374 6504 to discuss a suitable time.

Yours sincerely



Barry Jenkins  
Deputy Industrial Registrar

29 September 2004

## Recurring Obligations To Keep And Lodge Information Under Schedule 1B to the Workplace Relations Act 1996 (RAO Schedule) and the RAO Schedule Regulations

Information	Key Contents
<b>Maintenance of Register of Members</b>	A declaration by the secretary or other prescribed officer certifying that the register of members has, during the immediately preceding calendar year, been kept and maintained as required by ss230(1)(a) and (2) <i>[s233(1)(a)]</i>
<b>List of Offices</b> <i>- see Note 2</i>	A list of the offices in the organisation and each branch (note the definition of "office" and "officer" in ss6 and 9) <i>[s230(1)(b)]</i>
<b>List of Office-holders</b> <i>- see Note 2</i>	A list of the names, postal addresses and occupations of the persons holding the offices (note definition of "office" and "officer" in ss6 and 9) <i>[s230(1)(c)]</i>
<b>List of Branches</b> <i>- see Note 2</i>	A record of the name of each branch of the organisation <i>[s230(1)(d) and reg. 147(a)]</i>
<b>New Branches</b>	A record of the name of each branch that commenced operation in the previous 12 months <i>[s230(1)(d) and reg. 147(b)]</i>
<b>Old Branches</b>	A record of the name of each branch that ceased operation in the previous 12 months <i>[s230(1)(d) and reg. 147(c)]</i>
<b>Addresses of Organisation and Branches</b> <i>- see Note 2</i>	A record of the address of the office of the organisation and the office of each branch <i>[s230(1)(d) and reg. 147(d)]</i>
<b>Elections in Organisation and Branches</b>	A record of each election that must, under the rules of the organisation, be held during each year commencing 1 January for an office in the organisation and branch of the organisation <i>[s230(1)(d) and reg. 147(e)]</i>
<b>Statement concerning number of members</b>	A record of the number of members on 31 December in the previous year.  If the organisation has entered into an agreement under ss151(1) of the Schedule - a record of the number of members of the organisation who were, on 31 December in the previous year, ineligible State members in relation to the organisation, within the meaning of s150 of the Schedule. <i>[s230(1)(d) and reg. 147(f) and (g)]</i>

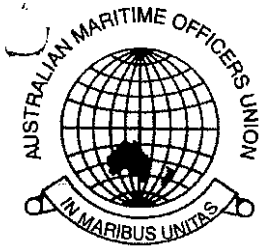
**Please note:**

1. A copy of the above records must be lodged in the Industrial Registry, once in each year, at any time during the period of 3 months commencing on 1 January, certified by declaration signed by the secretary or other prescribed officer to be a correct statement of the information contained in that record *[s233(1)(b) and [reg 149]*.
2. In the event of any change to certain of the abovementioned records, an organisation must, within 35 days of the change, lodge in the Industrial



Registry, a notification of such change certified by declaration signed by the secretary or other prescribed officer of the organisation to be a correct statement of the changes made *[s233(2) and reg. 151]*.

3. The above requirements apply to documents required to be lodged from 1 January 2004.



# AUSTRALIAN MARITIME OFFICERS UNION

ABN: 56 181 230 800

Incorporating: Merchant Service Guild of Australia and Australian Stevedoring Supervisors Association

5<sup>th</sup> Floor, Labor Council Building, 377 Sussex Street, Sydney • Postal Address: PO Box 407, Haymarket NSW 1240  
Telephone:(02) 9264 2388 • Facsimile:(02) 9267 4766 •E-Mail: amou@amou.com.au

Our Ref: AIRC 01

Your Ref: FR2002/785

20 October 2004

The Registrar  
Australian Industrial Registry  
80 William Street  
EAST SYDNEY NSW 2011

Dear Sir

**RE: FINANCIAL REPORT FOR YEAR ENDING 31 DECEMBER 2002**

We enclose the Financial Accounts of the Australian Maritime Officers' Union for filing.

This document is a copy of the Report sent out to all members by a mail out on or before 16 September 2003 and which was presented to the Annual General Meeting held on 30 September 2003.

Yours faithfully

Richard Hoare  
President  
Australian Maritime Officers' Union



**AUSTRALIAN MARITIME OFFICERS' UNION**

**A.B.N. 56 181 230 800**

**FINANCIAL REPORT  
FOR THE YEAR ENDED  
31ST DECEMBER 2002**

**AUSTRALIAN MARITIME OFFICERS' UNION**

**A.B.N. 56 181 230 800**

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**AUSTRALIAN MARITIME OFFICERS' UNION**  
**STATEMENT OF FINANCIAL PERFORMANCE**  
**FOR THE YEAR ENDED 31ST DECEMBER 2002**

	Note	2002 \$	2001 \$
<b>CLASSIFICATION OF EXPENSES BY NATURE</b>			
Revenues from ordinary activities	2	1,443,526.38	1,215,216.49
Employee benefits expense		(724,772.21)	(778,927.76)
Depreciation and amortisation expenses	3	(24,944.00)	(28,850.04)
Other expenses from ordinary activities		(495,549.48)	(446,514.20)
<hr/>			
<b>Profit from ordinary activities before income tax expense</b>	3	198,260.69	(39,075.51)
<hr/>			
<b>Net profit from ordinary activities after income tax attributable to members</b>	4	198,260.69	(39,075.51)
Net increase (decrease) in asset revaluation reserve		-	-
<hr/>			
<b>Total changes in member's funds</b>		198,260.69	(39,075.51)
<hr/>			

The accompanying notes form part of these financial statements.

**AUSTRALIAN MARITIME OFFICERS' UNION**

**STATEMENT OF FINANCIAL POSITION  
AS AT 31ST DECEMBER 2002**

	Note	2002 \$	2001 \$
<b>CURRENT ASSETS</b>			
Cash assets	6	1,158,004.08	554,542.77
Receivables	7	28,216.14	-
<b>TOTAL CURRENT ASSETS</b>		<b>1,186,220.22</b>	<b>554,542.77</b>
<b>NON-CURRENT ASSETS</b>			
Other financial assets	8	646,843.12	1,332,474.96
Property, plant and equipment	9	653,564.16	465,840.71
<b>TOTAL NON-CURRENT ASSETS</b>		<b>1,300,407.28</b>	<b>1,798,315.67</b>
<b>TOTAL ASSETS</b>		<b>2,486,627.50</b>	<b>2,352,858.44</b>
<b>CURRENT LIABILITIES</b>			
Payables	10	24,663.84	108,141.15
Provisions	11	182,439.08	156,499.03
Other	12	-	6,954.37
<b>TOTAL CURRENT LIABILITIES</b>		<b>207,102.92</b>	<b>271,594.55</b>
<b>TOTAL LIABILITIES</b>		<b>207,102.92</b>	<b>271,594.55</b>
<b>NET ASSETS</b>		<b>2,279,524.58</b>	<b>2,081,263.89</b>
<b>MEMBER'S FUNDS</b>			
Reserves	5	50,972.00	50,972.00
Retained Profits (Retained Losses)	4	2,228,552.58	2,030,291.89
<b>TOTAL MEMBER'S FUNDS</b>		<b>2,279,524.58</b>	<b>2,081,263.89</b>

The accompanying notes form part of these financial statements.

AUSTRALIAN MARITIME OFFICERS' UNION

STATEMENT OF CASH FLOWS  
FOR THE YEAR ENDED 31ST DECEMBER 2002

	2002 \$	2001 \$
<b>Cash Flows From Operating Activities</b>		
Receipts from members	1,134,591.98	1,117,041.31
Interest received	46,406.50	56,291.83
Payment to members, suppliers and employees	(1,282,437.99)	(1,141,755.23)
Taxes paid	(601.40)	-
<b>Net cash provided by (used in) operating activities</b>	<b>(102,040.91)</b>	<b>31,577.91</b>
<b>Cash Flows from Investing Activities</b>		
Income and redemption from/of Managed Investments	6,399.80	2,059.39
Payment for property, plant & equipment	(10,897.58)	(21,583.50)
Redemption of(Payment for) investments	710,000.00	-
<b>Net cash provided by (used in) investing activities</b>	<b>705,502.22</b>	<b>(19,524.11)</b>
Net increase (decrease) in cash held	603,461.31	12,053.80
Cash at beginning of financial year	554,542.77	542,488.97
<b>Cash at end of year</b>	<b>1,158,004.08</b>	<b>554,542.77</b>

The accompanying notes form part of these financial statements.

**AUSTRALIAN MARITIME OFFICERS' UNION**  
**STATEMENT OF CASH FLOWS**  
**FOR THE YEAR ENDED 31ST DECEMBER 2002**

	<b>2002</b>	<b>2001</b>
	<b>\$</b>	<b>\$</b>
<b>Notes to the Statement of Cash Flows</b>		
<b>Reconciliation of Cash</b>		
Cash at the end of financial year as shown in the Statement of Cash Flows is reconciled to the related items in the Statement of Financial Position as follows:		
Cash at Bank	1,158,004.08	554,542.77
<b>Reconciliation of Net Cash provided by Operating Activities to profit from ordinary activities after Income Tax</b>		
Operating profit (loss) after income tax	198,260.69	(39,075.51)
<b>Non-cash flows in Profit(Loss) from Ordinary Activities:</b>		
Depreciation	24,944.00	28,850.04
Holiday pay and long service leave (released)	25,940.05	13,322.28
Asset revaluation increment	(201,769.87)	-
Decrease (Increase) in market value of Managed investments	18,406.30	-
Net income from managed investments	(49,174.26)	(33,581.45)
<b>Changes in Assets and Liabilities:</b>		
Decrease (Increase) in Other debtors	(601.40)	-
Increase (Decrease) in Accrued Income	(6,954.37)	(2,975.50)
Increase (Decrease) in Sundry creditors	(31,496.71)	(5,965.47)
Increase (Decrease) in GST Liability	(79,595.34)	71,003.52
<b>Cash flows from operations</b>	<b>(102,040.91)</b>	<b>31,577.91</b>

The accompanying notes form part of these financial statements.



**AUSTRALIAN MARITIME OFFICERS' UNION**  
**A.B.N. 56 181 230 800**

**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 31ST DECEMBER 2002**

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**1 STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES**

The financial statements have been prepared in accordance with applicable Accounting Standards and the Workplace Relations Act 1996.

The financial statements have been prepared on the basis of historical costs and do not take into account changing money values or, except where stated, current valuations of non-current assets.

The accounting policies have been consistently applied, unless otherwise indicated.

**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.

**Investments**

Investments brought to account are at market valuation. The carrying amount of investments is reviewed annually to ensure it is not in excess of the recoverable amount of the investments.

Dividends and interests are brought to account when received.

**Property, Plant and Equipment**

Property, plant and equipment are brought to account at cost or at valuation, less where applicable any accumulated depreciation or amortisation. The carrying amount of fixed assets is reviewed annually to ensure it is not in excess of the recoverable amount of these assets. The recoverable amount is assessed on the basis of expected net cash flows which will be received from the assets employment and subsequent disposal.

The depreciable amount of all fixed assets including buildings and capitalised leased assets, but excluding freehold land, are depreciated on straight line basis over their estimated useful lives to the entity commencing from the time the asset is held ready for use. Properties held for investment purposes are not subject to a depreciation charge.

The depreciation rates used for each class of depreciable asset are:

<b>Class of Fixed Asset</b>	<b>Depreciation Rate</b>
Buildings	2.5 - 2.5%
Office Furniture and Equipment	4.0 - 40.0%
Library	10.0 - 10.0%

**Employee Entitlements**

Contributions are made by the entity to an employee superannuation fund and are charged as expenses when incurred. The entity has no legal obligation to provide benefits to employees on retirement.

**AUSTRALIAN MARITIME OFFICERS' UNION**  
**A.B.N. 56 181 230 800**

**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 31ST DECEMBER 2002**

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**Cash**

For the purposes of the statement of cash flows, cash includes cash on hand and at banks including at call deposits with bank.

**Information to be provided to Members or the Industrial Registrar**

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

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

(2) An organisation shall, on application made under Sub-section (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 a time, as prescribed.

(3) A Registrar may only make application under Sub-section (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 a member."

**AUSTRALIAN MARITIME OFFICERS' UNION**  
**A.B.N. 56 181 230 800**

**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 31ST DECEMBER 2002**

	<b>2002</b>	<b>2001</b>
	<b>\$</b>	<b>\$</b>
<b>2 Revenue</b>		
<b>Operating activities</b>		
Interest	53,360.87	59,267.33
Rendering of services	1,134,591.98	1,117,041.31
Other revenue	255,573.53	38,907.85
	1,443,526.38	1,215,216.49
<b>3 Profit from Ordinary Activities</b>		
Profit from ordinary activities before income tax expense has been determined after:		
<b>Expenses:</b>		
Depreciation of property, plant and equipment	24,944.00	28,850.04
Loss on Disposal on Managed Investments	4,629.40	5,326.40
Remuneration of auditor		
Audit fees	7,625.00	7,931.70
Other services	1,354.00	380.00
	8,979.00	8,311.70
<b>4 Retained Profits</b>		
Retained profits (accumulated losses) at the beginning of the financial year	2,030,291.89	2,069,367.40
Net profit attributable to members of the union	198,260.69	(39,075.51)
	2,228,552.58	2,030,291.89
<b>5 Reserves</b>		
Asset revaluation reserve	50,972.00	50,972.00

**AUSTRALIAN MARITIME OFFICERS' UNION**  
**A.B.N. 56 181 230 800**

**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 31ST DECEMBER 2002**

	<b>2002</b>	<b>2001</b>
	<b>\$</b>	<b>\$</b>
<b>6 Cash Assets</b>		
Cash on hand	1,000.00	1,000.00
Commonwealth Bank, Sydney	11,135.45	64,554.96
Westpac Bank, Sydney		8,858.15
Cash - Fremantle	294.33	406.93
Cash - Melbourne	84.74	44.46
Cash - Brisbane	405.65	407.63
Cash - Adelaide	74.60	74.54
Commonwealth Bank Cash Management Account		
	1,145,009.31	479,196.10
	1,158,004.08	554,542.77
<b>7 Receivables</b>		
<b>CURRENT</b>		
Other debtors	28,216.14	
<b>8 Other Financial Assets</b>		
<b>NON-CURRENT</b>		
Commonwealth Bank Commercial Bill		710,000.00
Managed investments	646,843.12	622,474.96
	646,843.12	1,332,474.96

Managed investments are disclosed in the financial accounts at 30 June 2002 at market value. The revaluation increment/(decrement) of (\$18,406.30) has been credited/(charged) to the Profit and Loss Account pursuant to Regulation 107(a)(xxvii) and the Workplace Relations Act, 1996 which is a departure from the requirements of the Australian Accounting Standard AAS10.

The statutory requirement must be observed where there is a conflict between statute and accounting standards.

**AUSTRALIAN MARITIME OFFICERS' UNION**  
**A.B.N. 56 181 230 800**

**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 31ST DECEMBER 2002**

	<b>2002</b>	<b>2001</b>
	<b>\$</b>	<b>\$</b>
<b>9 Property, Plant and Equipment</b>		
<b>Land and Buildings</b>		
Land & buildings, at valuation 31/12/02	600,000.00	400,000.00
Accumulated depreciation		7,126.00
	600,000.00	392,874.00
Office furniture and equipment, at valuation 31/12/02 #	50,000.00	120,845.59
Accumulated depreciation		51,839.04
	50,000.00	69,006.55
Library, at cost	22,744.80	22,744.80
Accumulated depreciation	19,180.64	18,784.64
	3,564.16	3,960.16
<b>Total Plant and Equipment</b>	53,564.16	72,966.71
<b>Total Property, Plant and Equipment</b>	653,564.16	465,840.71

**a. Property**

The Union's land and buildings were revalued to their recoverable amounts at 31 December 2002 by the Committee of Management. Buildings are depreciated on a straight line basis over their estimated potential service period.

**b. Revaluation of non-current assets**

Land and buildings are periodically revalued. Independent assessments are obtained of the fair market values of land and buildings on existing use and such assessments are used to guide when revaluations are made. Revaluation increments and decrements are credited or charged to the Profit and Loss Account, pursuant to Regulation 107(a)(xxvii) and the Workplace Relations Act, 1996 which is a departure from the requirements in the Australian Accounting Standard AAS10. The statutory requirement must, however, be observed where there is a conflict between statute and accounting standards.

Building improvements since the date of revaluation are booked at cost.

**c. Office furniture & equipment**

The Union's office furniture and equipment were revalued to their recoverable amounts at 31 December 2002 by the Committee of Management. The carrying amount of property, plant and equipment is reviewed annually by officials to ensure assets are not in excess of their recoverable amount.

# Additions to office furniture and equipment since the date of revaluation are booked at cost.

**AUSTRALIAN MARITIME OFFICERS' UNION**  
**A.B.N. 56 181 230 800**

**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 31ST DECEMBER 2002**

	2002	2001
	\$	\$
<b>10 Payables</b>		
CURRENT		
Sundry creditors	24,663.84	56,160.55
	24,663.84	56,160.55
<b>11 Provisions</b>		
CURRENT		
Provision for annual leave	102,890.16	81,958.15
Provision for long service leave	59,548.92	54,540.88
Provision for building repairs	20,000.00	20,000.00
	182,439.08	156,499.03
Aggregate employee entitlement liability	59,548.92	54,540.88
Number of employees at year end	9	9
<b>12 Other Liabilities</b>		
CURRENT		
Interest in Advance		6,954.37
		6,954.37

**13 Related Party Information**

Officials

The names of Officials who have held office during the financial year are:

K. Pinch  
M. Fleming  
S. Groves

There have been no transactions with Officials other than normal remuneration for services provided in the ordinary course of their employment.

Officers' Remuneration

The aggregate remuneration received by Officers from the Union during the year was \$245,268 (2001: \$309,788).

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**STATEMENT BY THE ACCOUNTING OFFICER**

---


I, Richard Hoare, being the Officer responsible for keeping the accounting records of the Australian Maritime Officers Union, Executive Council, certify that as at 31st December 2002 the number of members of the organisation was 2159.

In my opinion:

- i. The attached accounts show a true and fair view of the financial affairs of the organisation at 31st December 2002.
- ii. A record has been kept of all moneys paid by, or collected from, members and all moneys so paid or collected have been credited to the bank account to which those moneys are to be credited, in accordance with the rules of the organisation.
- iii. Before any expenditure was incurred by the organisation, approval of the incurring of the expenditure was obtained in accordance with the rules of the organisation.
- iv. With regard to funds of the organisation raised by compulsory levies or voluntary contributions from members, or funds other than the General Fund operated in accordance with the rules, no payments were made out of any such fund for purposes other than those for which the fund was operated.
- v. No loans or other financial benefits, other than remuneration in respect of their full-time employment with the organisation, were made to persons holding office in the organisation.
- vi. The register of members of the organisation was maintained in accordance with the Act.

Signed at Sydney this 16 day of May 2003

  
.....  
RICHARD HOARE - PRESIDENT

  
.....  
FRED ROSS - TREASURER

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## STATEMENT OF THE EXECUTIVE COUNCIL

---

In accordance with the resolution of the Executive Council of the Australian Maritime Officers Union we state that in the opinion of the Executive Council:


- (a) the accompanying Statement of Financial Position is drawn up so as to give a true and fair view of the state of affairs of the organisation as at the end of the financial year;
- (b) the accompanying Statement of Financial Performance is drawn up so as to give a true and fair view of the results of the organisation for the year ended 31<sup>st</sup> December 2002;
- (c) meetings of the Executive Council were held in accordance with the rules of the organisation;
- (d) to the knowledge and belief of all members of the Executive Council there have been no instances where records of the organisation that should be made available have been withheld from members; and
- (e) the organisation has, in relation to the Auditor's Report on the accounts and statements in respect of the immediately preceding year complied with the provisions of Section 279 of the Workplace Relations Act 1996.

Signed on behalf of the Executive Council

At Sydney this 16 day of May 2003



.....  
RICHARD HOARE – PRESIDENT



.....  
FRED ROSS - TREASURER



**INDEPENDENT AUDITOR'S REPORT  
TO THE MEMBERS OF THE AUSTRALIAN MARITIME OFFICERS' UNION**

Level 3, 2 Bulletin Place  
Circular Quay, Sydney NSW 2000

Postal Address: GPO Box 4605  
Sydney NSW 2001 Australia

Telephone: 02 9247 2227

Facsimile: 02 9247 8550

E-mail: mail@harveys.com.au

Internet: www.harveys.com.au

## Scope

We have audited the financial report of the Australian Maritime Officers' Union for the year ended 31 December 2002. The Union's Executive Council (Committee of Management) is responsible for the preparation and presentation of the financial report. We have conducted an independent audit of the financial report in order to express an opinion on it to the members of the organisation.

Our audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance whether the financial report is free of material misstatement. Our procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion whether, in all material respects, the financial report is presented fairly in accordance with Australian Accounting Standards and the Workplace Relations Act, 1996 so as to present a view, which is consistent with our understanding of the Union's financial position and the results of its operations and cash flows.

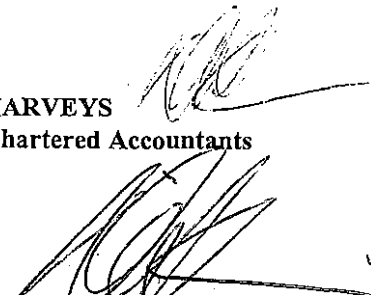
## Audit Opinion

In our opinion:

- a. Proper books of account have been kept by the Australian Maritime Officers' Union so far as appears from our examination of these books, including:-
  - (i) records and sources and nature of the income of the organisation (including income from (members));
  - (ii) records of the nature and purpose of the expenditure of the organisation.
  
- b. To the best of our information and according to the explanations given to us, the accounts give the information required by s273 of the Workplace Relations Act, 1996 in the manner so required and give a true and fair view of:-
  - (i) the financial affairs of the Australian Maritime Officers' Union as at 31 December 2002.
  - (ii) the Income and Expenditure and any surplus or deficit of the Australian Maritime Officers' Union for the year ended 31 December 2002.
  
- c. We have where necessary, obtained all the information and explanations which, to the best of our knowledge and belief, were necessary for the purposes of our audit, and
  
- d. The accounts have been prepared in accordance with Statements of Accounting Concepts and applicable Accounting Standards.

Signed at Sydney this 16 day MAY, 2003

HARVEYS  
Chartered Accountants

  
D P ROBINSON MCom BEc FCA

# HARVEYS

CHARTERED ACCOUNTANTS

Level 3, 2 Bulletin Place  
Circular Quay, Sydney NSW 2000

Postal Address: GPO Box 4605  
Sydney NSW 2001 Australia

Telephone: 02 9247 2227  
Facsimile: 02 9247 8550

E-mail: [mail@harveys.com.au](mailto:mail@harveys.com.au)  
Internet: [www.harveys.com.au](http://www.harveys.com.au)

## Private Information to the Committee of Management on the 31 December 2002 Financial Statements

### Disclaimer


The additional financial data presented in the following pages is in accordance with the books and records of Australian Maritime Officers' Union ("our Client") which have been subjected to the auditing procedures applied in our statutory audit of the organisation for the year ended 31 December 2002. It will be appreciated that our statutory audit did not cover all details of the additional financial data. Accordingly, we do not express an opinion on such data and no warranty of accuracy or reliability is given. Neither the firm nor any other member or employee of the firm undertakes responsibility in any way whatsoever to any person (other than our client) in respect of such data, including any errors or omissions therein however caused.

**HARVEYS**  
Chartered Accountants



**D.P. ROBINSON**

Dated this 16 day of MAY 2003

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ABN 86 579 902 545

**AUSTRALIAN MARITIME OFFICERS' UNION**

**ITEMISED PROFIT AND LOSS STATEMENT  
FOR THE YEAR ENDED 31ST DECEMBER 2002**

	2002 \$	2001 \$
<b>INCOME</b>		
Subscriptions, levies & joining fees	1,134,591.98	1,117,041.31
Interest received	53,360.87	59,267.33
Income from Managed investments	53,803.66	38,907.85
Decrease/(Increase) in market value of Managed investments	(18,406.30)	
Loss on Disposal on Managed Investments	(4,629.40)	(5,326.40)
Asset revaluation increment	201,769.87	
	<u>1,420,490.68</u>	<u>1,209,890.09</u>
<b>EXPENDITURE</b>		
Advertising		1,235.90
Affiliation fees	10,917.73	11,222.30
Auditor's remuneration	8,979.00	8,311.70
Bank charges	13,027.49	15,298.39
Conference and meeting expenses	6,019.73	5,863.14
Consultants fees	5,791.40	2,037.70
Computer software	1,636.14	1,157.70
Delegate fees and expenses	10.00	1,135.40
Depreciation	24,944.00	28,850.04
Electricity and gas	3,607.03	3,390.17
Employee Amenities	1,800.69	1,674.48
Equipment < \$300	185.45	55.80
Flowers and gifts	553.08	146.14
Fringe benefits tax	1,281.68	2,228.45
General expenses	174.16	1,216.20
Insurance	13,458.23	27,017.04
Legal costs	31,913.63	34,042.06
Library service and publications	2,514.02	2,180.55
Maritime Officer, special publications	14,889.57	17,626.20
Payroll tax	5,749.21	6,491.67
Postage	13,874.04	10,195.88
Printing and stationery	25,018.99	16,750.62
Provision for annual leave	20,932.01	20,693.08
Provision for long service leave	5,008.04	(7,370.80)
Rates and taxes, branch properties	4,898.41	2,908.84
Refunds	973.07	506.92
Rent and cleaning	64,116.24	57,467.62
Repairs and maintenance	2,270.32	916.43
Salaries	607,348.57	668,827.70
Staff training		504.50
Superannuation	115,622.95	107,921.08
Telephone and telex	56,346.90	55,290.43
Travelling expenses	158,368.21	143,172.27
	<u>1,222,229.99</u>	<u>1,248,965.60</u>
<b>Profit (Loss) from ordinary activities before income tax</b>	<u>198,260.69</u>	<u>(39,075.51)</u>

The accompanying notes form part of these financial statements.



**Australian Government**  
**Australian Industrial Registry**

Level 8, Terrace Towers  
80 William Street, East Sydney, NSW 2011  
Telephone: (02) 8374 6666  
Fax: (02) 9380 6990

Mr Richard Hoare  
President  
Australian Maritime Officers' Union  
PO Box 407  
HAYMARKET NSW 1240

Dear Mr Hoare

**Financial Statements and Reports year ending 31 December 2002 (FR2002/785) and 31  
December 2003 (FR2003/666)**

I refer to your letter of 20 October 2004 enclosing documents for these financial years.

Auditor's Report and Disclaimer

Section 276(4) of the Workplace Relations Act requires an auditor to give an opinion on the matters specified therein. I have attached a copy of s276 for your information.

The auditor has incorporated a disclaimer into the report for each of the above years which appears to indicate that no audit opinion has been expressed on certain "additional financial data" included in the "itemised profit and loss statement" attached to the reports.

Section 273(4)(a)(ii) of the Act requires the auditor to express an opinion on "the accounts and statements prepared under section 273". The accounts and statements required to be prepared under s273 are set out in regulation 107 of the Workplace Relations Regulations 1996 and include an account of all income and expenditure as specified.

The disclaimers suggest that the auditor may not have expressed an opinion on all the required matters. Before finalising consideration of the financial returns, the Registry will seek the auditor's comment on this matter.

Attached is a copy of our letter to the auditor for your information.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter McKerrow', with a long horizontal flourish extending to the right.

Peter McKerrow  
Assistant Manager

2 November 2004

**WORKPLACE RELATIONS ACT 1996**

**- SECT 276**

**Powers and duties of auditors**

(1) An auditor of an organisation shall inspect and audit the accounting records kept by the organisation in relation to each financial year and shall, within the prescribed period after the end of the year, make a report in relation to the year to the organisation.

(2) An auditor, or a person authorised by an auditor for the purposes of this subsection, is:

(a) entitled at all reasonable times to full and free access to all records and other documents of the organisation relating directly or indirectly to the receipt or payment of moneys, or to the acquisition, receipt, custody or disposal of assets, by the organisation; and

(b) entitled to seek from any officer or employee of the organisation such information and explanations as the auditor or authorised person wants for the purposes of the audit.

(3) Where an auditor authorises a person for the purposes of subsection (2), the auditor shall serve on the organisation a notification that sets out the name and address of the person.

(4) An auditor shall, in a report under this section in relation to a financial year, state:

(a) whether in the auditor's opinion:

(i) there were kept by the organisation in relation to the year satisfactory accounting records, including:

(A) records of the sources and nature of the income of the organisation (including income from members); and

(B) records of the nature and purposes of the expenditure of the organisation; and

(ii) the accounts and statements prepared under section 273 in relation to the year were properly drawn up so as to give a true and fair view of:

(A) the financial affairs of the organisation as at the end of the year; and

(B) the income and expenditure, and any surplus or deficit, of the organisation for the year; and

(b) whether all the information and explanations that, under subsection (2), officers or employees of the organisation were required to provide were provided;

and, in addition, the auditor shall state in the report particulars of any deficiency, failure or shortcoming in relation to a matter referred to in paragraph (a) or (b).

(5) If:

(a) an auditor, in the course of performing duties as auditor of an organisation, becomes aware that there has been a breach of this Act; and

(b) the auditor is of the opinion that the matter cannot be adequately dealt with by comment in a report;

the auditor shall immediately report the matter, in writing, to a Registrar.



**Australian Government**  
**Australian Industrial Registry**

Level 8, Terrace Towers  
80 William Street, East Sydney, NSW 2011  
Telephone: (02) 8374 6666  
Fax: (02) 9380 6990

Mr D P Robinson  
Harveys Chartered Accountants  
GPO Box 4605  
SYDNEY NSW 2001

Dear Sir

**Australian Maritime Officers' Union - Auditor's reports for fy 31/12/02 and 31/12/03**

The Australian Maritime Officers' Union lodged financial reports and copies of the audit reports in the Industrial Registry on 25 October 2004.

Before finalising this matter, I would appreciate your comments on the following:

The audit reports incorporate a disclaimer for each of the above years which appears to indicate that no audit opinion has been expressed on certain "additional financial data" included in the "itemised profit and loss statement" attached to the reports.

Section 273(4)(a)(ii) of the Workplace Relations Act 1996 requires the auditor to express an opinion on "the accounts and statements prepared under section 273". The accounts and statements required to be prepared under s273 are set out in regulation 107 of the Workplace Relations Regulations 1996 and include an account of all income and expenditure as specified.

The disclaimers suggest that the auditor may not have expressed an opinion on all the required matters. Before finalising consideration of the financial returns, the Registry would appreciate any comment you may wish to make on this matter.

If you have any queries, please contact me on (02) 8374 6666.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter McEerrow', written over a horizontal line.

Peter McEerrow  
Assistant Manager

2 November 2004

20 December 2004

**HARVEYS**

**CHARTERED ACCOUNTANTS**

Principal: David Robinson MCom BEc FCA

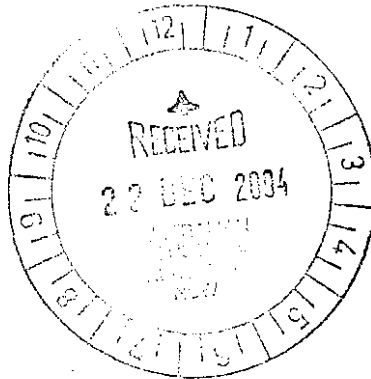
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Postal Address: GPO Box 4605  
Sydney NSW 2001 Australia

Telephone: 02 9247 2227  
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E-mail: [mail@harveys.com.au](mailto:mail@harveys.com.au)  
Internet: [www.harveys.com.au](http://www.harveys.com.au)

Mr P McKerrow  
Assistant Manager  
Australian Industrial Registry  
Level 8, Terrace Towers  
80 William Street  
EAST SYDNEY NSW 2011



Dear Sir

**Australian Maritime Officers' Union – Auditor's reports for years ended 31 December 2002 and 2003**

With reference to your correspondence dated 2 November 2004 we would advise that the audited accounts for our above client which included a disclaimer in relation to the 'additional financial data' was a misunderstanding on our behalf in the compilation of the final report.

Accordingly, we withdraw the disclaimer on additional financial data and express an unqualified opinion in regard to the itemised profit and loss statement for the years ended 31 December 2002 and 2003.

Yours faithfully,

**D.P. ROBINSON**  
Principal

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Australian Government

Australian Industrial Registry

Level 8, Terrace Towers  
80 William Street, East Sydney, NSW 2011  
Telephone: (02) 8374 6666  
Fax: (02) 9380 6990  
Email: sydney@air.gov.au

Mr Richard Hoare  
President  
The Australian Maritime Officers Union  
PO Box 407  
HAYMARKET NSW 1240

Dear Mr Hoare

**Re: Lodgement of the Financial Statements and Accounts for the Australian Maritime Officers Union for the year ending 31 December 2002 (FR2002/785) and the year ending 31 December 2003 (FR2003/666)**

I refer to the abovementioned financial statements and accounts, and the Registry's previous letter to you dated 2 November 2004 regarding a disclaimer included in the Audit reports for both the financial years.

A letter has now been received from the Auditor, Mr D Robinson, withdrawing that disclaimer and expressing an unqualified opinion in regard to the itemised profit and loss statement for the financial years ended 31 December 2002 and 31 December 2003.

Supply of documents to members for financial year ended 31 December 2003

In your letter of 20 October 2004 you stated that the financial documents, including the auditor's report, were mailed to all members on or about 3 March 2004. However, the auditor's report is dated 12 March 2004. Could you please confirm the date on which the auditor's report was provided to members.

Documents for the financial year ended 31 December 2002

The documents for financial year ended 31 December 2002 have now been filed, and may be viewed on the internet at [www.e-airc.gov.au/001n/financial](http://www.e-airc.gov.au/001n/financial).

I would like to take this opportunity to remind you that information about the new financial reporting obligations under the Registration and Accountability of Organisations Schedule (Schedule 1B to the *Workplace Relations Act 1996*) which now apply to your organisation can be found at [www.airc.gov.au/fact\\_sheets/factsheets.html](http://www.airc.gov.au/fact_sheets/factsheets.html).

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Belinda Penna'.

Belinda Penna  
for Deputy Industrial Registrar

23 December 2004

cc. Mr D P Robinson  
Principal  
Harveys Chartered Accountants





**Australian Government**  
**Australian Industrial Registry**

Level 8, Terrace Towers  
80 William Street, East Sydney, NSW 2011  
Telephone: (02) 8374 6666  
Fax: (02) 9380 6990  
Email: sydney@air.gov.au

Mr D P Robinson  
Principal  
Harveys Chartered Accountants  
GPO Box 4605  
SYDNEY NSW 2001

Dear Mr Robinson

**Re: Lodgement of the Financial Statements and Accounts for the Australian Maritime  
Officers Union for the year ending 31 December 2002 (FR2002/785)  
and the year ending 31 December 2003 (FR2003/666)**

Thank you for your letter dated 20 December 2004 regarding the audit disclaimer on financial data included in the abovementioned financial statements and accounts.

I note that the disclaimer has been withdrawn and that you express an unqualified opinion in regard to the itemised profit and loss statements for the financial years ended 31 December 2002 and 31 December 2003

Please find attached for your information a copy of a letter to Mr Richard Hoare, President of the Australian Maritime Officers Union, dated 23 December 2004.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Belinda Penna'.

Belinda Penna  
for Deputy Industrial Registrar

23 December 2004