



Australian Government
Australian Industrial Registry

Level 35, Nauru House
80 Collins Street, Melbourne, VIC 3000
GPO Box 1994, Melbourne, VIC 3001
Telephone: (03) 8661 7993
Fax: (03) 9654 6672

Mr. D. Dawes
Executive Director
Civil Contractors Federation
Australian Capital Territory Branch
GPO Box 3022
CANBERRA ACT 2601

Dear Mr. Dawes,

**Re: Schedule 1B of the Workplace Relations Act 1996 (the RAO Schedule)
Financial reports for years ended 30 June 2004 and 30 June 2005 –
FR 2004/454 and 2005/327**

Reference is made to the financial reports of the Australian Capital Territory Branch of the Civil Contractors Federation for the years ended 30 June 2004 and 30 June 2005. The documents were lodged in the Industrial Registry on 17 November 2005.

I also refer to my previous correspondence of 6 January 2005 in relation to the financial year 30 June 2004.

The documents have been filed.

Examination of the financial documents for the year ended 30 June 2004 has shown that matters requiring advice have either been corrected or repeated in relation to the branch's financial documents for the year ended 30 June 2005. In these circumstances, it is considered unnecessary to provide advice for the year ended 30 June 2004.

The following matters, in relation to the financial documents for the year ended 30 June 2005 are referred for assistance when preparing future financial documents; no further assistance is requested in respect of these:

1. Operating report

(a) Results of principal activities

I refer to the Operating Report, in particular to the "results of principal activities". I note that s254(2)(a) of Schedule 1B requires the operating report to include a review of the reporting entities' principal activities, the results of those activities and any significant changes in the nature of those activities.

The "results of principal activities" requirement contemplates reference in the operating report to results directly related to the principal activities as opposed to the reporting entities financial result, particularly as measured in dollar 'surplus' or 'loss' terms. Although this may not be stated explicitly in the text of the subsection, I think it is reasonable to infer this is what the legislators had in mind given that the subsection is referring primarily to the principal activities and secondly, the actual financial outcome is elaborated elsewhere in the financial documents, such as the Balance Sheet and/or the Profit and Loss statement.

(b) Right of members to resign:

Subsection 254(2)(c) requires the operating report to “give details” of the right of members to resign from the reporting unit under section 174 of the RAO Schedule. The requirement may be met by the inclusion of a statement that a member has the right to resign and a reference to the relevant rule, which makes such provision. Alternatively, the complete text of the relevant resignation rule may be reproduced in the report. It would appear in this case that rule 9 of the organisation’s Rules is applicable.

(c) Trustees of superannuation entities:

The report must give details (including details of the position held) of any officer or member of the reporting unit who is:

- (i) a trustee of a superannuation entity or an exempt public sector superannuation scheme; or
- (ii) a director of a company that is a trustee of a superannuation entity or an exempt public sector superannuation scheme; and

where a criterion for the officer or member being the trustee or director is that the officer or member is an officer or member of a registered organisation

(d) Membership of Committee of Management:

The operating report is required to contain the name of each person who has been a member of the committee of management of the reporting unit at any time during the reporting period, and the period for which he or she held such a position - refer regulation 159(c) of the RAO Regulations.

The operating report should have provided the positions which members of the committee of management held during the reporting unit.

2. Committee of Management Statement

- (a)** There appears to be no information in the statement addressing Items 17(e)(ii) and (iv) of the Industrial Registrar’s Reporting Guidelines. These items relate to the managing of the financial affairs of the reporting unit in accordance with the rules of the organisation including the rules of a branch concerned and the keeping of financial records in a consistent manner to each of the other reporting units of the organisation.

(b) Signatory

Please note that under paragraph 18(d) of the guidelines, for the purposes of s253, this Statement need only be signed by the designated officer. The expression “designated officer” is defined by s243(a) of the RAO Schedule to be “an officer who, under the rules of the reporting unit, is responsible (whether alone or with others) for undertaking the functions necessary to enable the reporting unit to comply with this Part”. In the present case that officer would appear to be the Branch Executive Officer.

3. Auditor’s Report

- (a)** Subsection 257 of the RAO Schedule now requires an auditor to, among other things, state

an opinion on whether the GPFR is presented fairly in accordance with applicable Australian Accounting Standards and other requirements of the RAO Schedule. The following wording would satisfy the requirements:

"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."

(b) It is not clear from the Report whether or not the Auditor is an approved auditor. In this regard I draw your attention to the definition of approved auditor in regulation 4 of the RAO Regulations. In all likelihood the Auditor is such a person however, it is our preference that this is made explicit in the Report. I recommend you draw this comment to the attention of your Auditors.

4. Notice to members

There should be included in the full set of financial documents a notice drawing attention to provisions of the Act that prescribed information is available to members on request and which sets out a copy of subsections 272(1), (2) and (3) - refer subsection 272(5) of the Act and regulation 161(f).

5. Lodgement of financial documents

Please note that unless an extension is granted, financial documents must be lodged in the Industrial Registry within 14 days of the meeting at which they were presented - refer section 268.

Also, for your information I have enclosed a copy of the financial reporting timescales.

It should be noted that the Industrial Registrar attaches importance to reporting units both fully satisfying the obligations under Schedule 1B and to those obligations being discharged within the requisite timeframes. Your reporting unit should therefore ensure that future financial returns fully satisfy the above obligations.

Electronic lodgment

I encourage you to take advantage of the electronic lodgment service provided by the Registry for future lodgments. You may register as a user and then lodge your documents via the Electronic Lodgment page of the AIRC website at www.airc.gov.au Alternatively, you may send an email with the documents attached to: riateam3@air.gov.au. Please note that the Rules of the Commission allow for electronic signatures to be used, other than for statutory declarations (see subrule 74A(1)). Where documents are lodged electronically, there will be no need to forward hard copies of the documents.

Should you wish to discuss this letter or if you require further information on the financial reporting requirements of the Act, I may be contacted on (03) 8661 7993 or by email at larry.powell@air.gov.au.

Yours sincerely,



Larry Powell
Statutory Services Branch
9 December 2005



CIVIL CONTRACTORS FEDERATION

Formerly Australian Earthmovers & Road Contractors Federation

ACT BRANCH:

241 Northbourne Avenue, Lyncham ACT 2602
GPO Box 3022, Canberra, ACT 2601
Telephone: (06) 247 2099. Facsimile: (06) 249 8374.

8 November 2005

Mr. Larry Powell,
Statutory Services Branch,
Australian Industrial Registry,
GPO Box 1994S,
MELBOURNE VIC. 3001

Dear Mr. Powell,

Re: Civil Contractors Federation (ACT)
Financial Years ending 30 June 2004
& 30 June 2005

I enclose for filing, in accordance with the Financial Reporting Requirements of the Workplace Relations Act 1996, two copies of the following documents.

- Operating Report;
- Committee of Management Statement;
- Independent Audit Report to Members;
- Statement of Financial Performance;
- Statement of Financial Position;
- Statement of Cash Flows;
- Notes to the Financial Statements;
- Statement by Members of the Board;
- Certificate of Secretary or other authorised officer; and
- Annual Financial Return Prescribed Officer Certificate.

All matters concerning the Civil Contractors Federation of the ACT are handled by the Master Builders Association of the ACT.

The documents were provided to members on 19 September 2005 and then presented and accepted by members at the Annual General Meeting held on 10 October 2005.

Yours sincerely,

David Dawes
Executive Director

Encls.



CIVIL CONTRACTORS FEDERATION A.C.T BRANCH

FINANCIAL REPORT

FOR THE YEAR ENDED 30 JUNE 2004

CIVIL CONTRACTORS FEDERATION A.C.T BRANCH

FINANCIAL REPORT

FOR THE YEAR ENDED 30 JUNE 2004

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CIVIL CONTRACTORS FEDERATION A.C.T BRANCH

OPERATING REPORT

Your Members of the Committee of Management submit the financial report of Civil Contractors Federation A.C.T Branch for the financial year ended 30 June 2004.

Board Members

The names of Committee of Management members throughout the year and at the date of this report are:

Mr Gavan McArdle
Mr Peter Middleton
Mr Nigel Forde
Mr David Jones

Mr Michael De Simone
Mr Michael Dunn
Mr Geoff Hewatt

Principal Activities

The principal activities of the Branch during the financial year were to promote, protect and advance the interests of its members engaged in any manner of civil construction industry and such activities as are ancillary to the Civil Construction Industry.

Significant changes in nature of principal activities

No significant change in the nature of these activities occurred during the year.

Results of principal activities

The profit from ordinary activities amounted to \$1,343 (2003: Profit \$6,379).

Significant changes in Association's financial affairs

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

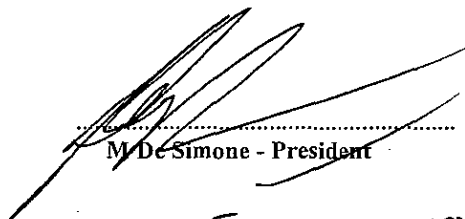
Number of members

The number of persons who, at the end of the financial year, were recorded on the Register of Members was 20. A member of an organisation may resign from membership by written notice addressed and delivered to a person designated for the purpose in the rules of the organisation or a branch of the organisation.

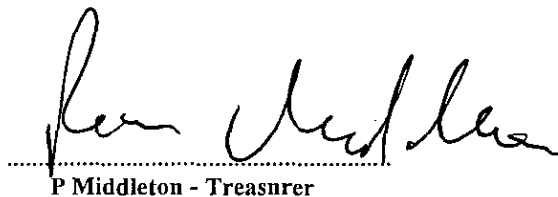
Number of employees

The number of persons who were, at the end of the financial year, employees of the Branch was nil, measured on a full time equivalent basis.

Signed in accordance with a resolution of the Members of the Board.



M De Simone - President



P Middleton - Treasurer

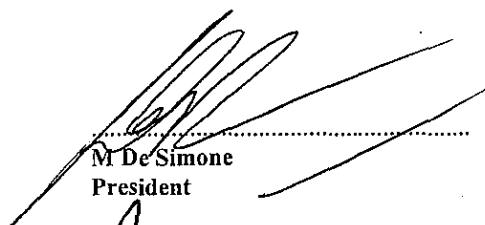
Dated this 5 day of October 2005

CIVIL CONTRACTORS FEDERATION A.C.T BRANCH

COMMITTEE OF MANAGEMENT STATEMENT

We M De Simone and P Middleton, being the two members of the Committee of Management of Civil Contractors Federation A.C.T Branch, do state on behalf of the Committee of Management and in accordance with a resolution passed by the Council on 6 October 2005, that in the opinion of the Committee of Management:

- (1) The financial statements and notes comply with the Australian Accounting Standards, mandatory professional reporting requirements and other authoritative pronouncements of the Australian Accounting Standards Board;
- (2) The financial statements and notes comply with the reporting guidelines of the Industrial Registrar;
- (3) 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;
- (4) At the date of this report there are reasonable grounds to believe that Civil Contractors Federation A.C.T Branch will be able to pay its debts as and when they fall due; and
- (5) During the financial year to which the financial report relates and since the end of that year:
 - (i) Meetings of the Committee were held in accordance with the rules of the organisation; and
 - (ii) The financial records of the reporting unit have been kept and maintained in accordance with the RAO Schedule and the RAO Regulations; and
 - (iii) The information sought in any request of a member of the organisation or a Registrar duly made under section 272 of the RAO Schedule has been furnished to the member or the Registrar; and
 - (iv) There has been compliance with any order for inspection of financial records made by the Commission under section 273 of the RAO Schedule.



M De Simone
President



P Middleton
Treasurer

Dated this 6 day of October 2005



INDEPENDENT AUDIT REPORT TO THE MEMBERS OF CIVIL CONTRACTORS FEDERATION A.C.T BRANCH

Scope

The Financial Report and Committee'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, and the statement by Members of the Committee of Management for Civil Contractors Federation A.C.T Branch (the Branch) for the year ended 30 June 2004.

The Committee of Management of the Branch 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 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 Committee.

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.

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Audit Opinion

- (a) the financial statements of Civil Contractors Federation A.C.T Branch are properly drawn up:
- (i) so as to give a true and fair view of its state of affairs at 30 June 2004 and the results of its operations for the financial year then ended;
 - (ii) in accordance with the provisions of the *Workplace Relations Act 1996*; and
 - (iii) in accordance with applicable Accounting Standards, other mandatory professional reporting requirements and the requirements of the RAO Schedule;
- (b) we have obtained all the information and explanations required; and
- (c) proper accounting records and other records have been kept by Civil Contractors Federation A.C.T Branch as required by the *Workplace Relations Act 1996*.

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A.B. Papps
Registered Company Auditor

Canberra, ACT
6 October 2005



CIVIL CONTRACTORS FEDERATION A.C.T BRANCH

STATEMENT OF FINANCIAL PERFORMANCE
FOR THE YEAR ENDED 30 JUNE 2004

	Notes	2004 \$	2003 \$
Revenue from ordinary activities	2	8,749	7,541
State contributions		(4,397)	(232)
Insurance expense		(2,040)	-
Office expense		-	(576)
Other expenses from ordinary activities		<u>(969)</u>	<u>(354)</u>
Net profit from ordinary activities	3	<u>1,343</u>	<u>6,379</u>
Total changes in equity other than those resulting from transactions with owners as owners		<u>1,343</u>	<u>6,379</u>

The accompanying notes form part of this financial report.

CIVIL CONTRACTORS FEDERATION A.C.T BRANCH

STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2004

	Notes	2004 \$	2003 \$
CURRENT ASSETS			
Cash assets	4	19,238	17,409
Receivables	5	<u>1,287</u>	<u>-</u>
TOTAL CURRENT ASSETS		<u>20,525</u>	<u>17,409</u>
TOTAL ASSETS		<u>20,525</u>	<u>17,409</u>
CURRENT LIABILITIES			
Payables	6	<u>1,821</u>	<u>48</u>
TOTAL CURRENT LIABILITIES		<u>1,821</u>	<u>48</u>
TOTAL LIABILITIES		<u>1,821</u>	<u>48</u>
NET ASSETS		<u>18,704</u>	<u>17,361</u>
EQUITY			
Retained profits	7	<u>18,704</u>	<u>17,361</u>
TOTAL EQUITY		<u>18,704</u>	<u>17,361</u>

The accompanying notes form part of this financial report.

CIVIL CONTRACTORS FEDERATION A.C.T BRANCH

STATEMENT OF CASH FLOWS
AS AT 30 JUNE 2004

	Notes	2004 \$	2003 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts from trade and other entities		7,809	7,500
Interest received		69	41
Payment to suppliers and employees		<u>(6,049)</u>	<u>(1,115)</u>
Net cash provided by operating activities	8(b)	<u>1,829</u>	<u>6,426</u>
Net increase in cash held		1,829	6,426
Cash at the beginning of the financial year		<u>17,409</u>	<u>10,983</u>
Cash at the end of the financial year	8(a)	<u>19,238</u>	<u>17,409</u>

The accompanying notes form part of this financial report.

CIVIL CONTRACTORS FEDERATION A.C.T BRANCH

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2004**

NOTE 1. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

This 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 and the requirements of the *Workplace Relations Act 1996*.

The financial report covers Civil Contractors Federation A.C.T Branch as an individual entity. Civil Contractors Federation A.C.T Branch is a branch incorporated in the Australian Capital Territory under the *Workplace Relations Act 1996*.

The financial report has been prepared on an accruals basis and is based on historical costs and does not take into account changing money values or, except where stated, current valuations of non-current assets. Cost is based on the fair values of the consideration given in exchange for assets.

The following is a summary of the material accounting policies adopted by the Branch in the preparation of the financial report. The accounting policies have been consistently applied, unless otherwise stated.

(a) Income Tax

No provision for income tax is necessary as the Branch is exempt under Section 50-15 of the *Income Tax Assessment Act 1997*.

(b) Cash

For the purposes of the Statement of Cash Flows, cash includes cash on hand, at banks and on deposit.

(c) Revenue

Revenue from the rendering of services is recognised upon the delivery of the service to the customers.

Interest Revenue is recognised on a proportional basis taking into account the interest rates applicable to the financial assets.

(d) Comparatives

Where required by Accounting Standards comparative figures have been adjusted to conform with changes in presentation for the current financial year.

(e) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the Statement of Financial Position are shown inclusive of GST.

CIVIL CONTRACTORS FEDERATION A.C.T BRANCH

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2004

NOTE 1. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES (continued)

(f) Adoption of Australian Equivalents to International Financial Reporting Standards

The Branch is preparing and managing the transition to Australian Equivalents to International Financial Reporting Standards (AIFRS) effective for the financial years commencing 1 January 2005. The adoption of AIFRS will be reflected in the Branch's financial statements for the year ending 30 June 2006. On first time adoption of AIFRS, comparatives for the financial year ended 30 June 2005 are required to be restated. The majority of the AIFRS transitional adjustments will be made retrospectively against retained earnings at 1 July 2004.

The Branch's management has assessed the significance of the expected changes and are preparing for their implementation. The impact of the alternative treatments and elections under AASB 1: First Time Adoption of Australian Equivalents to International Financial Reporting Standards, has been considered where applicable.

The Committee of Management are of the opinion that the differences in the Branch's accounting policies on conversion to AIFRS and the financial effect of these differences where known is estimated to be immaterial. Users of the financial statements should, however, note that the amounts disclosed could change if there are any amendments by standard-setters to the current AIFRS, or interpretation of the AIFRS requirements changes from the continued work of the Branch's AIFRS Committee.

	2004 \$	2003 \$
NOTE 2. REVENUE		
Operating activities		
- Subscriptions	8,000	7,500
- Licence fees	680	-
	<u>8,680</u>	<u>7,500</u>
Non-operating activities		
- Interest received	69	41
	<u>69</u>	<u>41</u>
Total Revenue	<u>8,749</u>	<u>7,541</u>

CIVIL CONTRACTORS FEDERATION A.C.T BRANCH

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2004**

	2004	2003
	\$	\$
NOTE 3. PROFIT FROM ORDINARY ACTIVITIES		
Surplus from ordinary activities has been determined after:		
Expenses:		
State contributions	4,397	232
Insurance expense	2,040	-
Office expense	-	576
Remuneration of auditor:		
- audit or review services	500	500
- other services	-	-
Total remuneration	<u>500</u>	<u>500</u>
NOTE 4. CASH ASSETS		
Cash at bank	<u>19,238</u>	<u>17,409</u>
	<u>19,238</u>	<u>17,409</u>
NOTE 5. RECEIVABLES		
Debtors	<u>1,287</u>	<u>-</u>
	<u>1,287</u>	<u>-</u>
NOTE 6. PAYABLES		
CURRENT		
Trade creditors and accruals	1,357	-
GST Payable	<u>464</u>	<u>48</u>
	<u>1,821</u>	<u>48</u>
NOTE 7. RETAINED PROFITS		
Retained profits at the beginning of the financial year	17,361	10,982
Net profit attributable to the Branch	<u>1,343</u>	<u>6,379</u>
Retained profits at the end of the financial year	<u>18,704</u>	<u>17,361</u>

CIVIL CONTRACTORS FEDERATION A.C.T BRANCH

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2004**

	2004	2003
	\$	\$
NOTE 8. CASH FLOW INFORMATION		
(a) Reconciliation of Cash		
Cash at bank	<u>19,238</u>	<u>17,409</u>
	<u>19,238</u>	<u>17,409</u>
(b) Reconciliation of Net Cash provided by/(used in) Operating Activities to Profit from Ordinary Activities		
Profit from ordinary activities	1,343	6,379
Changes in assets and liabilities:		
(Increase) in receivables	(1,287)	-
Increase in payables	<u>1,773</u>	<u>47</u>
Net cash provided by operating activities	<u>1,829</u>	<u>6,426</u>

(c) The Branch has no credit stand-by or financing facilities in place.

(d) There were no non-cash financing or investing activities during the period.

NOTE 9. RELATED PARTY INFORMATION

(a) The Committee of Management of the Branch who held office during any part of the financial year are as follows:

Mr Gavan McArdle	Mr Michael De Simone
Mr Peter Middleton	Mr Michael Dunn
Mr Nigel Forde	Mr Geoff Hewatt
Mr David Jones	

(b) The Committee Members did not receive any remuneration in connection with services provided.

(c) Transactions between the Branch and Committee Member related entities are on normal commercial terms.

NOTE 10. SEGMENT INFORMATION

The Branch operates predominantly in one business and geographical segment, being within the ACT promoting, protecting and advancing the interests of its members engaged in any manner of civil construction industry and such activities as are ancillary to the Civil Construction Industry.

CIVIL CONTRACTORS FEDERATION A.C.T BRANCH

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2004**

NOTE 11. FINANCIAL INSTRUMENTS

(a) Net Fair Values

Methods and assumptions used in determining net fair value.

The net fair values of assets and liabilities approximate their carrying value.

The aggregate net fair values and carrying amounts of financial assets and financial liabilities are disclosed in the Statement of Financial Position and in the Notes to the Financial Statements.

(b) Credit Risk

The maximum exposure to credit risk, excluding the value of any collateral or other security, at balance date to recognised financial assets is the carrying amount, net of any provisions for doubtful debts, as disclosed in the Statement of Financial Position 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 Association.

(c) Interest Rate Risk

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

	Weighted Average Effective Interest Rate		Floating Interest Rate		Fixed Interest Rate	
	2004	2003	2004	2003	2004	2003
FINANCIAL ASSETS	%	%	\$	\$	\$	\$
Cash	19,238	17,409	-	-	-	-
	19,238	17,409	-	-	-	-

NOTE 12. EVENTS SUBSEQUENT TO REPORTING DATE

No events have occurred subsequent to balance date, which require disclosure in the financial statements either by a note to the financial statements or by amending the financial statements.

NOTE 13. BRANCH DETAILS

The principal place of business of the Branch is:

Civil Contractors Federation A.C.T Branch
241 Northbourne Ave
Lyneham ACT 2602

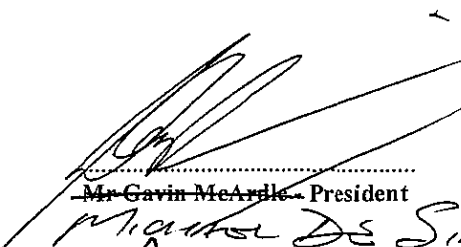
CIVIL CONTRACTORS FEDERATION A.C.T BRANCH

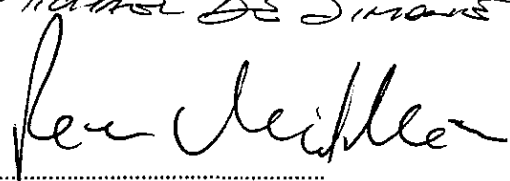
**STATEMENT BY MEMBERS OF THE BOARD
FOR THE YEAR ENDED 30 JUNE 2004**

In the opinion of the Committee of Management the financial report set out on pages 6 to 13:

1. Presents a true and fair view of the financial position of Civil Contractors Federation A.C.T Branch as at 30 June 2004 and its performance for the year ended on that date in accordance with Australian Accounting Standards, mandatory professional reporting requirements and other authoritative pronouncements of the Australian Accounting Standards Board.
2. At the date of this statement, there are reasonable grounds to believe that Civil Contractors Federation A.C.T Branch will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the Committee and is signed for and on behalf of the Committee of Management by:


.....
~~Mr Gavin McArdle - President~~

Michael De Simone

.....
Mr Peter Middleton - Treasurer

Dated this 5 day of October 2005



CIVIL CONTRACTORS FEDERATION

Formerly Australian Earthmovers & Road Contractors Federation

ACT BRANCH:

241 Northbourne Avenue, Lyncham ACT 2602

GPO Box 3022, Canberra, ACT 2601

Telephone: (06) 247 2099. Facsimile: (06) 249 8374.

Certificate of Secretary or other Authorised Officer

I, David Dawes being the Branch Executive Director, of the Civil Contractors Federation A.C.T. 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 19 September 2005; and
- That the full report was presented to a general meeting of members of the reporting unit on 10 October 2005; in accordance with section 266 of the RAO Schedule.

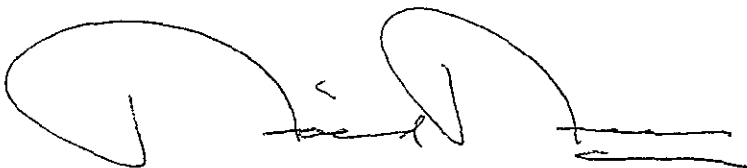
Signature

Date: 10 October 2005

CIVIL CONTRACTORS FEDERATION - ACT

ANNUAL FINANCIAL RETURN PRESCRIBED OFFICER CERTIFICATE

In pursuance of the provisions of Section 280 (1)(b) of the Workplace Relations Act 1996 I, David Paul Dawes, being the prescribed officer for the Civil Contractors Federation - ACT certify that the Financial Report, Accounts and Statements, for the year ended 30 June 2004 and lodged with the Industrial Registry on 7 November 2005 are copies of the documents presented and accepted by members at an Annual General Meeting held on 10 October 2005 and by the Executive Committee of Management on 10 October 2005.

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a series of loops and a horizontal line at the end.

David Paul Dawes
Executive Director

7 November 2005

From: POWELL, Larry
Sent: Thursday, 27 October 2005 10:43 AM
To: 'ccfact@civilcontractors.com'
Subject: Outstanding financial documents - fin y/e 30/6/04

I refer to my telephone with Louise Doyle (Branch Senior Management Accountant) in relation to the outstanding documents in relation to the Branch's financial documents for the year ended 30 June 2004.

Ms Doyle indicated that the outstanding documents would be lodged with the Branch's financial documents for the year ended 30 June 2005 in October.

As the outstanding documents do not appear to have been received, I request that I be advised by Wednesday, 2 November 2005 as to when lodgement can be expected.

Should you wish to discuss this matter I may be contacted on (03) 8661 7993.

Regards,

Larry Powell



Australian Government

Australian Industrial Registry

Level 35, Nauru House
80 Collins Street, Melbourne, VIC 3000
GPO Box 1994S, Melbourne, VIC 3001
Telephone: (03) 8661 7993
Fax: (03) 9654 6672

Mr. D. Dawes
Executive Director
Civil Contractors Federation
Australian Capital Territory Branch
GPO Box 3022
CANBERRA ACT 2601

Dear Mr. Dawes,

**Re: Schedule 1B of the Workplace Relations Act 1996 (the RAO Schedule)
Financial reports for year ended 30 June 2004 - FR 2004/454**

I refer to my letter of 6 January 2005 in which I advised that an examination of the financial reports of your branch lodged for the year ended 30 June 2004 showed substantial non-compliance with the RAO Schedule. In that letter you were requested to prepare, audit, supply to members, present to a meeting and lodge in the Industrial Registry financial reports in accordance with the RAO Schedule. As yet I have received no response as to what the Branch has done in order to comply with its obligations under Schedule 1B of the Workplace Relations Act 1996.

In order to finalise this matter I suggest as a minimum, that the branch organise the preparation of an operating report, balance sheet and statement of cash flows and supply such documents to its members, present such to a general meeting of its members and then lodge such in the Industrial Registry.

Would you please advise me by Tuesday, 14 June 2005 what stage this matter is now at.

Should you wish to discuss this letter or if you require further information on the financial reporting requirements of the Act, I may be contacted on (03) 8661 7993 or by email at larry.powell@air.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'L Powell'.

Larry Powell
Statutory Services Branch

1 June 2005



Australian Government

Australian Industrial Registry

Level 35, Nauru House
80 Collins Street, Melbourne, VIC 3000
GPO Box 1994S, Melbourne, VIC 3001
Telephone: (03) 8661 7993
Fax: (03) 9654 6672

Mr. D. Dawes
Executive Director
Civil Contractors Federation
Australian Capital Territory Branch
GPO Box 3022
CANBERRA ACT 2601

Dear Mr. Dawes,

**Re: Schedule 1B of the Workplace Relations Act 1996 (the RAO Schedule)
Financial reports for year ended 30 June 2004 - FR 2004/454**

Reference is made to the financial reports of the Australian Capital Territory Branch of the Civil Contractors Federation for the year ended 30 June 2004. The documents were lodged in the Industrial Registry on 1 December 2004.

An examination of the financial reports lodged shows substantial non-compliance with the RAO Schedule. The Industrial Registry cannot accept financial reports which have been lodged without substantial compliance with the RAO Schedule.

You are now required to prepare, audit, supply to members, present to a meeting and lodge in the Industrial Registry financial reports in accordance with the RAO Schedule.

I direct your attention to the following comments concerning the above reports and the financial reporting obligations under the RAO Schedule.

1. Operating report

The financial documents lodged did not contain an operating report. The Committee of Management must as soon as practicable after the end of each financial year cause an operating report to be prepared in relation to the financial year - refer s254 of the RAO Schedule and regulation 159 of the Workplace Relations (Registration and Accountability of Organisations) Regulations 2003. The operating report must contain the following:

(a) *Review of principal activities:*

The report must contain a review of the reporting unit's principal activities during the financial year, the results of those activities and any significant changes in the nature of those activities during the year.

(b) *Significant changes in financial affairs:*

The report must give details of any significant changes in the reporting unit's financial affairs during the year.

(c) Right of members to resign:

Subsection 254(2)(c) requires the operating report to “give details” of the right of members to resign from the reporting unit under section 174 of the RAO Schedule. The requirement may be met by the inclusion of a statement that a member has the right to resign and a reference to the relevant rule, which makes such provision. Alternatively, the complete text of the relevant resignation rule may be reproduced in the report. It would appear in this case that rule 8 of the organisation’s Rules is applicable.

(d) Trustees of superannuation entities:

The report must give details (including details of the position held) of any officer or member of the reporting unit who is:

- (i) a trustee of a superannuation entity or an exempt public sector superannuation scheme; or
- (ii) a director of a company that is a trustee of a superannuation entity or an exempt public sector superannuation scheme; and

where a criterion for the officer or member being the trustee or director is that the officer or member is an officer or member of a registered organisation

(e) Number of members and number of employees:

Subsection 254(2)(f) of the RAO Schedule and regulation 159(a) and (b) of the RAO Regulations require the operating report to contain information pertaining to the number of persons that were members and the number of persons who were employees of the reporting unit at the end of the financial year.

(f) Membership of Committee of Management:

The operating report is required to contain the name of each person who has been a member of the committee of management of the reporting unit at any time during the reporting period, and the period for which he or she held such a position - refer regulation 159(c) of the RAO Regulations.

2. Special purpose financial report

A reporting unit is required by section 253(2) of the RAO Schedule to prepare a general purpose financial report from its financial records. While in some cases, the contents of a special purpose financial report and a general purpose financial report might not be substantially different, the requirement to prepare a general purpose financial report is quite clear.

The auditor’s report and the notes to the financial accounts must indicate that a general purpose financial report was prepared by the reporting unit instead of a special purpose financial report.

3. General Purpose Financial Report

Section 253 of Schedule 1B requires a reporting unit as soon as practicable after the end of each financial year to cause a general purpose financial report to be prepared in accordance with the

Australian Accounting Standards from the financial records kept under subsection 252(1) in relation to the financial year.

The general purpose financial report must consist of:

- (a) financial statements containing:
 - (i) a profit and loss statement, or other operating statement; and
 - (ii) a balance sheet; and
 - (iii) a statement of cash flows; and
 - (iv) any other statements required by the Australian Accounting Standards; and
- (b) notes to the financial statements containing:
 - (i) notes required by the Australian Accounting Standards; and
 - (ii) information required by the reporting guidelines; and
- (c) any other reports or statements required by the reporting guidelines

I note that neither a balance sheet, statement of cash flows or notes to the financial statements have been provided.

In your letter dated 29 November 2004 you state, inter alia:

“We wish to advise that the Civil Contractors Federation of the ACT do not have any staff or any assets so consequently are unable to provide a balance sheet.

All matters concerning the Civil Contractors Federation of the ACT are handled by the Master Builders Association of the ACT.”

An examination of the profit and loss statement of the branch for the year ended 30 June 2004 shows that the branch received \$7,579.18 in income, incurred expenditure of \$6,127.36 and cash at bank totalling \$19,237.95.

It would appear that although all matters concerning the branch are handled by the Master Builders Association of the ACT, the branch did have financial affairs for the year ended 30 June 2004 and therefore would be required to provide all the documents comprising the general purpose financial report as required by section 253.

4. Committee of Management Statement

- (a) There appears to be no information in the statement addressing Items 17(e)(ii) and (iv) of the Industrial Registrar’s Reporting Guidelines. These items relate to the managing the financial affairs of the reporting unit in accordance with the rules of the organisation including the rules of a branch concerned and the keeping of financial records in a consistent manner to each of the other reporting units of the organisation.

(b) Date of resolution

Item 18 of the Registrar's Reporting Guidelines requires the Committee of Management's statement to specify the date of passage of the resolution made by the Committee. While the statement provides that the appropriate resolution was passed, no date is evident.

(c) Signatory

Please note that under paragraph 18(d) of the guidelines, for the purposes of s253, this Statement need only be signed by the designated officer. The expression "designated officer" is defined by s243(a) of the RAO Schedule to be "an officer who, under the rules of the reporting unit, is responsible (whether alone or with others) for undertaking the functions necessary to enable the reporting unit to comply with this Part". In the present case that officer would appear to be the Branch Executive Officer.

4. Auditor's Report

- (a) Subsection 257 of the RAO Schedule now requires an auditor to, among other things, state an opinion on whether the GPFR is presented fairly in accordance with applicable Australian Accounting Standards and other requirements of the RAO Schedule. The following wording would satisfy the requirements:

"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."

- (b) It is not clear from the Report whether or not the Auditor is an approved auditor. In this regard I draw your attention to the definition of approved auditor in regulation 4 of the RAO Regulations. In all likelihood the Auditor is such a person however, it is our preference that this is made explicit in the Report. I recommend you draw this comment to the attention of your Auditors.

5. Accounting Officer's Certificate

There is no requirement under Schedule 1B to lodge an Accounting Officer's certificate. Such certificate was previously required by former provisions of the Act and Workplace Relations Regulations.

6. Secretary's Certificate

- (a) Financial documents lodged with the Registrar are required by subsection 268(c) to be filed under cover of a certificate by a designated officer, in this case, the Branch Executive Director, stating that the documents lodged are copies of the documents provided to members and presented to a meeting in accordance with section 266.

I note that the financial report was presented and accepted by members at an Annual General Meeting held on 10 November 2004 and by the Executive Committee of Management on the same day.

It is unclear from the information provided whether the Annual General Meeting was held for the purpose of supplying a copy of the financial reports to members [s265(5)] or for presenting the financial reports to the Annual General Meeting after such documents were supplied to members [s266]. Also, the purpose of holding the Executive Committee of Management meeting is unclear.

As you know section 266 of the RAO Schedule makes provision for the methods by which a reporting entity may satisfy its obligation to present the full report to members. The purpose of the financial reporting provisions generally is to ensure disclosure to members and, to offer those members an opportunity to raise any matter that concerns them regarding material disclosed in that information. The vehicle for members to achieve this are either at a general meeting of members or at a meeting of the committee of management. The latter option is only available if the precondition in subsection 266(3), that is the 5% rule, is satisfied. The rules of the organisation do not make such provision.

In these circumstances, the alternatives require the presentation of the relevant documents to a general meeting of members, or at a series of meetings at different locations (this alternative is only available if the rules make provision for such meetings). It should also be noted that the financial reports should be provided to members within certain time periods prior to the meeting - see ss265(5) and 266(1).

The organisation may wish to take steps to alter its rules to incorporate the 5% rule referred to previously.

- (b) I note that the Secretary's Certificate refers to the Financial Report, Accounts and Statements of the reporting unit for the year ended 30 June 2003 rather than 30 June 2004.

7. Lodgement of financial documents

Please note that unless an extension is granted, financial documents must be lodged in the Industrial Registry within 14 days of the meeting at which they were presented - refer section 268.

Should you wish to discuss this letter or if you require further information on the financial reporting requirements of the Act, I may be contacted on (03) 8661 7993 or by email at larry.powell@air.gov.au.

Yours sincerely,



Larry Powell
Statutory Services Branch

6 January 2005



CIVIL CONTRACTORS FEDERATION

Formerly Australian Earthmovers & Road Contractors Federation

ACT BRANCH:

241 Northbourne Avenue, Lyncham ACT 2602
GPO Box 3022, Canberra, ACT 2601
Telephone: (06) 247 2099. Facsimile: (06) 249 8374.

FJG:LRB

29 November 2004

Mr. Andrew O'Brien,
Statutory Services Branch,
Australian Industrial Registry,
GPO Box 1994S,
MELBOURNE VIC. 3001

Dear Mr. Schultz,

I enclose for filing in accordance with the Financial Reporting Requirements of the Workplace Relations Act 1996 two copies of financial documents of the Civil Contractors Federation - ACT.

We wish to advise that the Civil Contractors Federation of the ACT do not have any staff or any assets so consequently are unable to provide a balance sheet.

All matters concerning the Civil Contractors Federation of the ACT are handled by the Master Builders Association of the ACT.

In accordance with Section 280 (1)(b) of the Workplace Relations Act 1996 we attach the necessary two (2) copies of Prescribed Officer Certificate and two (2) copies of the Committee of Management Certificate.

The documents were provided to members on 20 October 2004 and then presented and accepted by members at the Annual General Meeting held on 10 November 2004.

Yours faithfully,

David Dawes
Executive Director

Encls.

CIVIL CONTRACTORS FEDERATION - ACT

ANNUAL FINANCIAL RETURN PRESCRIBED OFFICER CERTIFICATE

In pursuance of the provisions of Section 280 (1)(b) of the Workplace Relations Act 1996 I, David Paul Dawes, being the prescribed officer for the Civil Contractors Federation - ACT certify that the Financial Report, Accounts and Statements, for the year ended 30 June 2003 and lodged with the Industrial Registry on 29 November 2004 are copies of the documents presented and accepted by members at an Annual General Meeting held on 10 November 2004 and by the Executive Committee of Management on 10 November 2004.

A handwritten signature in black ink, appearing to read 'David Paul Dawes', with a horizontal line underneath it.

David Paul Dawes
Executive Director

29 November 2004

CIVIL CONTRACTORS FEDERATION A.C.T. BRANCH

FINANCIAL STATEMENTS FOR THE PERIOD

1 JULY 2003 – 30 JUNE 2004

	2003/2004	2002/2003
	\$	\$
Income		
Subscriptions	7,000.00	7,500.00
Interest	69.18	40.50
Licence Fees	<u>510.00</u>	<u>0.00</u>
Total Income	<u>7,579.18</u>	<u>7,540.50</u>
Expenditure		
Insurances	2,040.26	0.00
Annual General Meeting	0.00	0.00
Audit Fees	454.55	315.00
Office Expenses	0.00	576.42
Special Project Funds	0.00	0.00
ACT State Contribution	3,617.75	232.08
Bank Charges	<u>14.80</u>	<u>38.60</u>
Total Expenditure	<u>6,127.36</u>	<u>1,162.10</u>
Operating Surplus/(Deficit)	1,451.82	6,378.40
Accumulated Surplus/(Deficit) carry forward	<u>17,361.40</u>	<u>10,983.00</u>
Accumulated Surplus/(Deficit)	<u>18,813.22</u>	<u>17,361.40</u>
Represented by:		
Cash at Bank	19,237.95	17,409.48
GST (Payable)/Refundable	<u>(424.73)</u>	<u>(48.08)</u>
	<u>18,813.22</u>	<u>17,361.40</u>



WALTERTURNBULL
your extra asset

**INDEPENDENT AUDITOR'S REPORT TO
THE COMMITTEE OF THE CIVIL CONTRACTORS FEDERATION A.C.T.**

Scope

We have completed our audit of the attached Special Purpose Financial Report comprising the Statement of Receipts and Payments (the Statement) and obtained all the information and explanations we require in relation to the Committee of the Civil Contractors Federation A.C.T. Branch (the Committee) for the period 1 July 2003 to 30 June 2004. The Committee is responsible for the preparation and presentation of the Statement and the information contained therein, and has determined that the basis of accounting used is appropriate to the needs of the Committee. We have conducted an independent audit of the Statement in order to express an opinion to the Committee. We disclaim any assumption of responsibility for any reliance on this report or on the attached Statement to which it relates to any person other than the Committee.

Our audit has been conducted in accordance with Australian Accounting Standards to provide reasonable assurance as to whether the Statement is free from material misstatement. Our procedures included examination, on a test basis, of evidence supporting the amounts disclosed in the Statement. The financial report is prepared on an accruals basis and is based on historic costs and does not take into account changing money values. Statements of Accounting Concepts and Accounting Standards have not been applied in the preparation and presentation of the Statement.

The audit opinion expressed in this report has been formed on the above basis.

Audit Opinion

We have audited the Special Purpose Financial Report.

1. In our opinion:

- (a) the Civil Contractors Federation A.C.T. Branch maintained satisfactory accounting records in relation to the year including:
 - (i) records of the sources and nature of the income of the organisation (including income from members); and
 - (ii) records of the nature and purposes of the expenditure of the organisation; and
- (b) the accompanying Statement is properly drawn up in accordance with the provisions of section 273 of the Workplace Relations Act 1996 so as to give a true and fair view of the receipts and payments of Civil Contractors Federation A.C.T. Branch for the year ended 30 June 2004 and of its cash and bank balances as at that date.

2. All the information and explanations that, under subsection (2) of Section 276 of the Act, officers or employees of the Association were required to provide were provided.

A.B. Papps
WalterTurnbull
Chartered Accountants

Dated: 12 October 2004
Canberra, ACT

WalterTurnbull Building
44 Sydney Avenue
Barton ACT 2600
GPO Box 1955
Canberra ACT 2601
Tel 02 6247 6200
Fax 02 6257 6655
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A division of
WalterTurnbull Pty Ltd
ABN 97 099 740 879

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CIVIL CONTRACTORS FEDERATION A.C.T. BRANCH

COMMITTEE OF MANAGEMENT CERTIFICATE

We, Gavin McArdle and Peter Middleton, being the two members of the Council of the Civil Contractors Federation A.C.T, do state on behalf of the Council and in accordance with a resolution passed by the Council on <DATE>, that in the opinion of the Council:

- (1) The financial statements and notes comply with the Australian Accounting Standards;
- (2) The financial statements and notes comply with the reporting guidelines of the Industrial Registrar;
- (3) 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;
- (4) There are reasonable ground to believe that the reporting unit will be able to pay its debts as and when they become due and payable; and
- (5) During the financial year to which the financial report relates and since the end of that year:
 - (i) Meetings of the Council were held in accordance with the rules of the organisation; and
 - (ii) The financial records of the reporting unit have been kept and maintained in accordance with the RAO Schedule and the RAO Regulations; and
 - (iii) The information sought in any request of a member of the organisation or a Registrar duly made under section 272 of the RAO Schedule has been furnished to the member or the Registrar; and
 - (iv) There has been compliance with any order for inspection of financial records made by the Commission under section 273 of the RAO Schedule.


.....
Gavin McArdle
Chairman


.....
Peter Middleton
Treasurer

Dated this 11th day of October 2004.

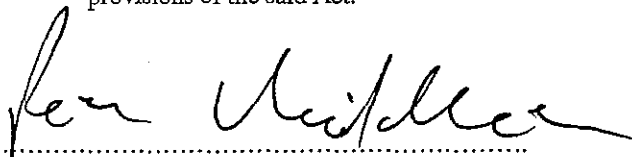
CIVIL CONTRACTORS FEDERATION A.C.T. BRANCH

ACCOUNTING OFFICER'S CERTIFICATE

In pursuance of the provisions of Regulation 109(1)(a) under the Workplace Relations Act 1996 ("the Act"). I, Peter Middleton, being the officer responsible for keeping the accounting records of the Civil Contractors Federation A.C.T. Branch, certify that as at 30 June 2004 the number of members of the organisation was 16.

In my opinion:

- (1) the attached financial statements show a true and fair view of the financial affairs of the organisation as at 30 June 2004;
- (2) a record has been kept of all monies paid by, or collected from, members of the organisation and all monies so paid or collected have been credited to the bank account to which those monies are to be credited, in accordance with the rules of the organisation;
- (3) no expenditure was incurred or payment made by the organisation except as authorised in accordance with the rules of the organisation;
- (4) 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;
- (5) no loans of other financial benefits, other than remuneration in respect of their full-time employment with the organisation were made to persons who hold office in the organisation; and
- (6) the register of members of the organisation was maintained in accordance with the provisions of the said Act.



.....
Peter Middleton
Treasurer

Dated this *11th* day of *October* 2004.



Australian Government
Australian Industrial Registry

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

Ref: FR2004/454 - [267V-ACT]

Mr David Dawes
Branch Executive Director
Civil Contractors Federation-Australian Capital
Territory Branch
C/- MBA ACT
GPO Box 3022
CANBERRA CITY 2601

Dear Mr Dawes

Financial Return - year ending 30 June 2004

This letter is intended to remind you of your obligations to provide members with copies of your reporting unit's financial reports for year ended 30 June 2004 and to lodge the reports in the Industrial Registry by no later than Friday 14 January 2005.

Over the past 18 months you would have received from us information about the major changes made by Schedule 1B of the *Workplace Relations Act 1996* ('RAO'¹⁹).

Financial Reports

Your reporting unit must prepare or have prepared the following three reports as soon as practicable after its financial year:

1. A General Purpose Financial Report (GPFR);
2. An Operating Report; and
3. An Auditor's Report.

Informing Your Members

Your reporting unit must provide free of charge to the general membership, copies of the abovementioned reports (the "full report"). Under certain circumstances, your reporting unit can provide a more limited concise report.

The report must be provided within 5 or 6 months from the end of the financial year, depending on the internal arrangements of the reporting unit for the presentation of its financial reports.

A reporting unit may make application to a Registrar to extend the period within which copies of the full report or concise report are to be provided to members by no more than one month.

The Second Meeting - if it is a General Meeting of Members

After providing the full report to members it must be presented to a general meeting of members (the *second meeting*). This meeting must be held within 6 months of the end of the financial year. You may make application to a Registrar to extend this time limit by no more than one month so that the time limit for providing to members copies of the full report or concise report may in turn be extended.

¹⁹ Registration and Accountability of Organisations Schedule (RAO) (Schedule 1B to the *Workplace Relations Act 1996*)

Your reporting unit must always allow a minimum of 21 days for members to receive the full report before presenting it to a general meeting of members (s265(5)). The purpose of the interval and the second meeting is to enable the members to have time to consider the report and, if they wish, to attend the second meeting to discuss it.

If the rules of the organisation permit a general meeting to be a series of meetings held at different locations, the full report may be presented to such a series of meetings. In this case the 'date' of the general meeting is taken to be the date of the last meeting in the series (see s266(2)).

The Second Meeting - if it is a Committee of Management Meeting

If your rules contain a provision that allows up to 5% of members to demand a general meeting to be held to consider the full report (see s266(3)), it is permissible to present the full report directly to a Committee of Management meeting. This meeting must be held within 6 months of the end of the financial year.

There is no provision for extending the time-limit for presenting the full report to a committee of management meeting.

Lodge full report within 14 days of meeting

You must lodge a copy of the full report and any concise report in the Industrial Registry within 14 days of the second meeting.

Your reporting unit's financial reports should, therefore, be lodged by no later than Friday 14 January 2005.

Contact the Registry

We encourage you to contact the Registry on (03) 8661 7787 or by e-mail at clency.lapierre@air.gov.au as early as possible if you have any queries.

If you have already taken steps to ensure that your reporting unit complies with the time scale requirements of RAO, please ignore this letter.

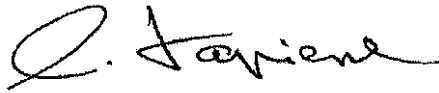
Information on AIRC Website

We recommend you and your accountant/auditor refer to the following documents on the Commission's website at www.airc.gov.au:

- [RAO Schedule and RAO Regulations](#)
- [Registrar's Reporting Guidelines](#) - All GPFR's must comply with these Guidelines. Please note that the Guidelines set out requirements that are *in addition* to those required by the Australian Accounting Standards.

- RAO Fact Sheets - These Fact Sheets explain the new requirements of the RAO Schedule - many of them deal with financial reporting matters.

Yours sincerely

A handwritten signature in black ink, appearing to read "Q. Japene". The signature is fluid and cursive, with a large initial "Q" and a long, sweeping underline.

23 November 2004



Ref: FR2004/454-[267V-ACT]

Mr David Dawes
Branch Executive Director
Civil Contractors Federation
Australian Capital Territory Branch
241 Northbourne Avenue
LYNEHAM ACT 2602

Dear Mr Dawes

Financial Return - year ending 30 June, 2004

Our records show your organisation's financial year ended recently. This letter outlines some of the things you must do to meet your financial reporting obligations and when you have to do them. For simplicity, we will call the documents you have to lodge with us your *financial return*.

New legislation

This letter is intended as guide to the law applicable on the date of this letter and should not be used as a substitute for legal or accounting advice. We only summarise some of the reporting requirements in this letter. More detailed information is at the end of this letter.

The legislation has changed since your last return. In May 2003 the Industrial Registrar wrote to all organisations forwarding a number of facts sheets outlining the major changes made by Schedule 1B of the Workplace Relations Act 1996 ('RAO'¹). While the immediate changes affected the rules and elections in organisations, the changes affecting financial returns involve a longer lead time.

The key differences under the new legislation affecting financial returns are:

- **a reduced financial reporting cycle (now maximum periods of 5 or 6 months depending on internal arrangements of organisation)**
- **a greater emphasis given to Australian Accounting Standards**
- **the introduction of a new report, known as an Operating Report (broadly similar in concept to a Director's Report under the corporations legislation)**
- **extensions of time are limited to one month**
- **restructured penalty provisions involving more extensive use of Civil Penalties**
- **the introduction of the Industrial Registrar's Reporting Guidelines**
- **organisations and their branches to report according to their financial structures, known as 'reporting units'.**

We recommend you discuss the new requirements with your accountant or auditor.

¹ Registration and Accountability of Organisations Schedule (RAO) (Schedule 1B to the *Workplace Relations Act 1996*)

Reporting Unit

One of the new concepts of the RAO legislation is that reporting entities are known as “*reporting units*”. Where an organisation is **not** divided into branches the reporting unit is the whole of the organisation. Where an organisation **is** divided into branches each branch will be a reporting unit unless the Industrial Registrar has determined a division of the organisation into reporting units on an alternative basis. We can discuss this with you if you need more information.

For simplicity, we will refer to your organisation as a reporting unit in this letter.

Industrial Registrar’s Guidelines

The Industrial Registrar’s reporting guidelines set out certain disclosure requirements in addition to those prescribed by Australian Accounting Standards having in mind the nature of organisations registered under the Workplace Relations Act.

The disclosure requirements prescribed by the reporting guidelines are directed towards providing members of the reporting unit with information to enable them to gauge the performance of the committee of management and other holders of office in relation to the financial management of the reporting unit. In addition, the reporting guidelines seek to improve the quality of information available to users of the financial report about the reporting unit’s economic support of, or economic dependency on, other reporting units of the organisation.

Timeline Planner and Checklist

We have attached a Timeline/Planner (*Attachment A*) to help you **plan** your financial return and carry out all the necessary steps. We have also attached a Document Checklist (*Attachment B*) to **check** your documents before lodging them in the Registry. Both documents are abbreviated summaries of the relevant provisions of the RAO Schedule, RAO Regulations and the Industrial Registrar’s Reporting Guidelines.

In the following section we describe some of the documents your reporting unit must prepare and the sequence of their preparation and completion.

Three Reports

Your reporting unit must prepare two reports as soon as practicable after its financial year, which, together with the Auditor’s Report, comprise the reporting unit’s financial return.

1. **General Purpose Financial Report** - this must comply with the Australian Accounting Standards and the Industrial Registrar’s Reporting Guidelines. The GPFR consists of:

Financial Statements containing:

- a profit and loss statement, or other operating statement; and
- a balance sheet; and
- a statement of cash flows; and
- any other statements required by the Australian Accounting Standards; and

Notes to the Financial Statements containing:

- notes required by the Australian Accounting Standards; and
- information required by the Industrial Registrar's *Reporting Guidelines* under section 255); and

Committee of Management Statement as required by the Registrar's Reporting Guidelines (a sample certificate for illustrative purposes is at Attachment C)

2. **Operating Report** - this report includes a review of your reporting unit's principal activities for the year and other specified information.

Your reporting unit must appoint an auditor to audit the GPFR and to provide:

3. an **Auditor's Report**.

First Meeting (Committee of Management)

For simplicity, we will call the meeting at which the committee of management first considers the GPFR the first meeting. At the first meeting your committee, if satisfied that all is in order, will resolve to express its opinion on the GPFR and complete a Committee of Management Statement.

The Auditor

After the first meeting, the auditor takes the GPFR and the Committee of Management Statement and prepares a report on the GPFR. In practice, your auditor may have already completed most of his or her examination of your accounts. The auditor may only be waiting on the Committee to pass the required resolution and make the Statement before signing the report the same day.

Informing Your Members

Your reporting unit must provide free of charge to the general membership, copies of the GPFR, the Operating Report and the Auditor's Report. RAO calls these the "full report". Under certain circumstances, your reporting unit can provide a more limited *concise report*.

The reporting unit can meet its obligation to provide copies of the full or concise report to members by publishing the report in a journal that is available to the members free of charge.

A reporting unit may meet this obligation in whole or in part by publication of the report in a journal published on a web site on the Internet dependent on:

- a. the extent of the accessibility of the members of the reporting unit to the Internet; and
- b. that the members are notified by the reporting unit in the usual manner in which it communicates with its members that the report has been so published at a specified Internet address.

The report must be provided within 5 or 6 months from the end of the financial year, depending on the internal arrangements of the organisation for the presentation of its financial reports.

The Second Meeting - if it is a General Meeting of Members

After providing the full report to members it must be presented to a general meeting of members. For simplicity this is referred to as the *second meeting*.

Your reporting unit must always allow a minimum of 21 days for members to receive the full report before presenting it to a general meeting of members (s265(5)). The purpose of the interval and the second meeting is to enable the members to have time to consider the report and, if they wish, to attend the second meeting to discuss it.

If the rules of the organisation permit a general meeting to be a series of meetings held at different locations, the full report may be presented to such a series of meetings. In this case the 'date' of the general meeting is taken to be the date of the last meeting in the series (see s266(2)).

The Second Meeting - if it is a Committee of Management Meeting

If the rules of your organisation contain a provision that allows up to 5% of members to demand a general meeting to be held consider the report (see s266(3)), it is permissible to present the report directly to a Committee of Management meeting.

Lodge full report within 14 days of meeting

You must lodge a copy of the full report and any concise report in the Industrial Registry within 14 days of the second meeting. For your convenience you are encouraged to lodge the material electronically (see eFiling Tab at www.airc.gov.au). When lodging the financial return please quote: **FR2004/454**.

The Secretary (or another officer appropriately authorised under the rules of the organisation) must *certify* that the full report is a copy of the one provided to members and presented to the second meeting and provide the date of the meeting (a sample certification for illustrative purposes is at *Attachment D*).

When we receive your return we will check that it includes the information you must provide your members and that you have provided it to them correctly.

Complying with time limits

This letter has outlined some of the steps in preparing and lodging your return. Many of the steps must be completed within fixed time limits.

Failure to complete them in time could make your reporting unit or its officers liable to financial or "civil penalties".

Extensions of Time

We appreciate that sometimes circumstances beyond your reporting unit's control may delay completion of a financial return. If you believe your reporting unit is going to be unable to meet a time limit tell us as soon as you know. We can advise you if the step is one for which you may apply under RAO to the Industrial Registrar for extra time to complete. The maximum extra time allowed can be no more than one month.

Reduced Reporting Requirements

If your reporting unit meets certain conditions, some of these reporting requirements can be reduced. Such conditions might be where the annual income of the reporting unit (where the reporting unit is the whole of the organisation) is less than \$100,000, or where the reporting unit has no financial affairs in the financial year, or where the financial affairs of the reporting unit are encompassed by the financial affairs of its counterpart State industrial association.

Contact the Registry

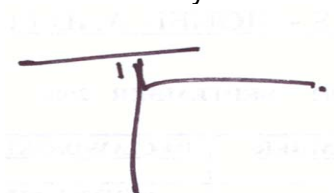
We encourage you to contact the Registry on (03) 8661 7787 or by e-mail at clency.lapierre@air.gov.au as early as possible if you believe preparation or lodgment of your return will be delayed or if you have any queries. We can offer you advice on procedure but we cannot give you legal or accounting advice.

Information on AIRC Website

We recommend you and your accountant/auditor refer to the following documents on the Commission's website at www.airc.gov.au:

- [RAO Schedule and RAO Regulations](#)
- [Registrar's Reporting Guidelines](#) - All GPFR's must comply with these Guidelines. Please note that the Guidelines set out requirements that are *in addition* to those required by the Australian Accounting Standards.
- [RAO Fact Sheets](#) - These Fact Sheets explain the new requirements of the RAO Schedule - many of them deal with financial reporting matters.

Yours sincerely

A handwritten signature in dark ink, consisting of a horizontal line at the top, a vertical line extending downwards from the center, and a horizontal line extending to the right from the bottom of the vertical line.

Deputy Industrial Registrar
9 August, 2004

Documents Checklist

You can use this checklist as soon as possible after the financial year ends to ensure you have all the necessary documents prepared and that those documents contain all information required by RAO.

You can also use this checklist to ensure all documents in your financial return are complete before lodging them in the Registry.

No	Document	✓
1	General Purpose Financial Report	
	Does the report contain a Profit and Loss Statement?	
	Does the report contain a Balance Sheet?	
	Does the report contain a Statement of Cash Flows?	
	Does the report contain notes to the financial statements as required by AAS and the reporting guidelines?	
	Does the report contain all other information required by the reporting guidelines?	
2	Committee of Management Statement	
	Is the statement signed by the officer responsible for undertaking functions necessary to enable the reporting unit to comply with RAO?	
	Is the statement dated?	
	Is the statement in accordance with a resolution of the committee?	
	Does the statement specify the date of the resolution?	
	Does the statement contain declarations required by the reporting guidelines?	
3	Auditor's Report	
	Is the Report dated and signed by the auditor?	
	Is the name of the auditor clear?	
	Are the qualifications of the auditor on the report?	
	Has the auditor expressed an opinion on all matters required?	
4	Operating Report	
	Is the report signed and dated?	
	Does the report provide the number of members?	
	Does the report provide the number of employees?	
	Does the report contain a review of principal activities?	
	Does the report give details of significant changes?	
	Does the report give details of right of members to resign?	
	Does the report give details of superannuation trustees?	
	Does the report give details of membership of the committee of management?	
5	Concise report*	
6	Certificate of Secretary or other Authorised Officer	
	Is the certificate signed and dated?	
	Is the signatory the secretary or another officer authorised to sign the certificate?	
	Is the date that the report was provided to members stated?	
	Is the date of the Second Meeting at which the report was presented stated?	
	Does the certificate state that the documents are copies of those provided to members?	
	Does the certificate state that the documents are copies of those presented to the Second Meeting?	

* This is an optional way of providing documents to members (see RAO s265(3) and RAO Reg. 161).

Committee Of Management Statement

On *[date of meeting]* the Committee of Management of *[name of reporting unit]* passed the following resolution in relation to the general purpose financial report (GPFR) of the reporting unit for the financial year ended *[date]*:

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 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) where 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) the information sought in any request of a member of the reporting unit or a Registrar duly made under section 272 of the RAO Schedule has been* furnished to the member or 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: *[name of designated officer per section 243 of the RAO Schedule]*

Title of Office held:

Signature:

Date:

* Where compliance or full compliance has not been attained - set out details of non compliance instead.

Where not relevant these may be modified accordingly (e.g. in (vi) "No orders have been made by the Commission under section 273 of the RAO Schedule during the period."

Certificate of Secretary or other Authorised Officer¹

s268 of Schedule 1B *Workplace Relations Act 1996*

I *[name]* being the *[title of office]* of the *[name of the organisation]* certify:

- that the documents lodged herewith are copies of the full report, *[and the concise report]²*, referred to in s268 of the RAO Schedule; and
- that the *[full report **OR** concise report]³*, was provided to members on *[insert date]*; and
- that the full report was presented to *[a general meeting of members **OR** the last of a series of general meetings of members **OR** a meeting of the committee of management]³* of the reporting unit on *[insert date]*; in accordance with section 266 of the RAO Schedule.

Signature

Date:

¹*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.

²*Only applicable where a concise report is provided to members*

³*Insert whichever is applicable*