

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 Peter Tighe National Secretary, CEPU Suite 701, Level 7, 5-13 Rosebery Avenue ROSEBERY NSW 2018

Dear Mr Tighe

Re: Lodgement of Financial Statements and Accounts – Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, National Office - year ending 31 March 2007 (FR2007/202)

I refer to the abovementioned financial statements and accounts which were lodged in the Registry on 26 June 2008 and to your further correspondence of 21 August 2008 where you advise that steps will be taken to ensure the timely lodgement of future financial returns.

The legislative requirements in respect of the above financial report having been met, the documents have been filed.

Yours sincerely,

David Vale Manager

Registered Organisations

d Vale

22 August 2008



21 August 2008

Mr Stephen Kellett Research Information & Advice Branch Australian Industrial Registry Level 8, Terrace Towers 80 William Street EAST SYDNEY NSW 2011 RECEIVED

2 2 AUG 2008

AUSTRALIAN
INDUSTRIAL
REGISTRY NSW

9/17

COMMUNICATIONS
ELECTRICAL
PLUMBING
UNION

NATIONAL OFFICE

Peter Tighe National Secretary

Ed Husic National President

Suite 701, Level 7 5-13 Rosebery Avenue PO Box 380 Rosebery NSW 2018

Ph: (02) 9663 3699 Fax: (02) 9663 5599

Email: jcallaghan@nat.cepu.asn.au

Dear Stephen,

I apologise for the lateness of this reply to your request regarding the issues outlined in relation to the Unions submitted National Council Financial Statements for Year Ending March 2007.

I would like to advise you that they will be posted for re-submission to the registry today. To answer your questions:

- 1) It has been an oversight that the Operating Report and National Committee of Management Statement were not dated and I will ensure that future reports will be dated.
- 2) The Union has advised our auditors to ensure they make reference to the RAO Schedule in future opinions.
- Again I apologise for the lateness in the finalisation of our lodgement and advise that steps will be taken to ensure the timely lodgement of future statements including this years.

Thank you for your patience and assistance in the finalisation of this matter. The Union hopes to lodge our forthcoming statements in timely and correct fashion.

Yours sincerely

Peter Tighe National Secretary

Level 8, Terrace Towers 80 William Street, East Sydney, NSW 2011 Telephone: (02) 8374 8666 Fax: (02) 9380 6990 Email: sydney@air.gov.au

Mr Peter Tighe National Secretary, CEPU Suite 701, Level 7, 1 Rosebery Avenue ROSEBERY NSW 2018

Dear Mr Tighe

Re: Lodgement of Financial Statements and Accounts – Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, National Office - year ending 31 March 2007 (FR2007/202)

I refer to the abovementioned financial statements and accounts which were lodged in the Registry on 26 June 2008 and to Mr Kellett's letter of 4 July 2008 regarding areas with which compliance is required in future returns.

Mr Kellett sought that if appropriately dated copies of the Operating report, the Committee of Management statement and Auditor's report existed, they be lodged, and that you give an undertaking to ensure the Auditor's return will be in terms of, and make reference to, the RAO Schedule as appropriate [see s257(5)], in future returns, and take steps to avoid significant delays in future lodgments. There does not appear to have been any response.

The Registry will defer filing the 2007 return pending your reply which I will add to the documents already lodged.

Yours sincerely,

David Vale

Assistant Manager, Statutory Services Branch

11 August 2008

Mr Peter Tighe
National Secretary,
CEPU
Suite 701, Level 7, 1 Rosebery Avenue
ROSEBERY NSW 2018

Dear Mr Tighe

Re: Lodgement of Financial Statements and Accounts – Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, National Office - year ending 31 March 2007 (FR2007/202)

I refer to the abovementioned financial statements and accounts which were lodged in the Registry on 26 June 2008.

Before filing the documents I must draw your attention to the following matters:

First, the Operating Report and Committee of Management Statement were not dated, and the Auditor's report was not dated in accordance with s257(9) of the RAO Schedule, indicating simply "September 2007". On its face, this is anomalous given the certification in the Secretary's Certificate, since it suggests the auditor's report was prepared after the other documents were supplied to members and presented.

Since the documents are to go on the public record on the AIRC's website, I would ask that if dated copies of any or all of the three abovementioned documents were prepared, you lodge these as soon as possible.

Second, in his Audit opinion, the Auditor has made reference to the *Corporations Act 2001* and the Corporations Regulations. In checking I note that he also did so in the previous year's report. The Auditor's opinion must in future be in terms of, and make reference to the RAO Schedule as appropriate [see s257(5)].

Third, I note the significant delay in lodgement.

These matters need to be addressed in future returns. Your undertakings would be appreciated and I will defer filing of the documents pending your correspondence.

Yours sincerely,

Stephen Kellett

Statutory Services Branch

4 July 2007





COMMUNICATIONS
ELECTRICAL
PLUMBING
UNION

CERTIFICATE BY PRESCRIBED DESIGNATED OFFICER

(s268 SCHEDULE 1, WORKPLACE RELATIONS ACT 1996)

I, Peter Tighe a prescribed designated officer, certify that the enclosed documents lodged, consisting of the general purpose financial report of The Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia - National Council for the year ended 31 March 2007, are copies of the documents provided to members on the 11th of June 2007 and subsequently presented to a meeting in accordance with section 266 held on the 9th July 2007

Ro.

National Secretary CEPU

Dated: 4th June 2008

NATIONAL OFFICE

Peter Tighe National Secretary

Ed Husic National President

Suite 701, Level 7 5-13 Rosebery Avenue PO Box 380 Rosebery NSW 2018

Ph: (02) 9663 3699 Fax: (02) 9663 5599

Email: Jcallaghan@nat.cepu.asn.au

FINANCIAL REPORT FOR THE YEAR ENDED 31 MARCH 2007



TABLE OF CONTENTS

Operating Report	1	
Financial Report		
Statement of Financial Performance	3	
Statement of Financial Position	4	
Statement of Cash Flows	5	
Notes to the Financial Statements	6 -	9
Committee of Management Statement	10	
Independent Audit Report	11	
Additional Information	12	12

OPERATING REPORT

This Operating Report covers the activities of the Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services Union of Australia – National Council, for the financial year ended 31 March 2007, the results of those activities and any significant changes in the nature of those activities during the year.

1. Principle Activities of the Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services Union of Australia –National Council

- Iplementation of the decisions of the National Executive and National Council.
- Implementation of the union's organising agenda, including direct assistance and strategic advice on particular sector or site organising projects, the training and development of officials and assistance to Divisions and branches on planning and resourcing campaigns.
- Industrial support including representation of industry grievances, advice on legal and legislative matters, pursuing relevant changes to the conditions of eligibility rules of the union, and responding to other unions' rules applications where they impact on membership of the CEPU.
- The administration of federal industrial relations system, industrial returns, advising peak Councils on major test cases (such as living wage) and making submissions to Government and industry on behalf of the CEPU.
- National media and communications to members via Divisions and to the broader community via media releases in support of campaigns, video and film development, and targeted publications.
- National bargaining in key multi Divisional national industries, and assistance to Divisions on legal and industrial relations matters by request.

The national office has consulted with the ACTU on the development of claims on behalf of all Australian workers and their families. Where appropriate, the national office has assisted branches in the implementation of relevant decisions via the variation of awards.

The national office has also been involved in lobbying and negotiations with different levels of Government and key industry organisations around issues of importance to CEPU members.

2. The National Council's Financial Affairs

There have been no significant changes in the national office financial affairs. A small service fee is paid for each financial member.

During the 2005/6 financial year, the national office funded a number of legal actions on behalf of membership interests.

3. Right of Members to Resign.

All members of the Union have the right to resign from the Union in accordance with Divisional Rules of the Union (and Section 174 of the Workplace Relations Act); namely, by providing written notice addressed and delivered to the Secretary of the relevant Divisional Branch, including via email.

4. Superannuation Trustees

Peter Tighe is an officer of the National Office and is a Trustee and Member of the Board of Directors of the C+Bus, a multi Divisional Superannuation Fund.

5. Membership of the Union

There were 127,369 members of the union as at 31 March 2007.

6. Employees of the Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services Union of Australia – National Council

As at 31 March 2007 the National Council employed no full time employees and no part-time employees.

7. National Executive

The following persons were members of the National Executive, during the year ending 31 March 2006.

Ed husic National President
Colin Cooper National Vice President
Peter Tighe National Secretary
Earl Setches National Assistant Secretary

Bernard Riordan
Dean Mighell
Richard Williams
Richard Williams
Southern States Branch – Electrical Division
QLD Branch Secretary – Electrical Division
Steve McCarney
NSW Branch Secretary – Plumbing Division
Jorgen Gullestrop
QLD Branch Secretary – Plumbing Division

Jim MetcherNSW P & T Branch Secretary – Communications DivisionPaul KellyP & T WA Branch Secretary – Communications DivisionGary CarsonWA T & S Branch Secretary – Communications DivisionSharelle HerringtonAffirmative Action Assistant Secretary – Communications Div

Ian McCarthy NSW T & S Branch Secretary Communications Div

Vivette Horrex NSW T & S Assistant Branch Secretary – Communications Div

PETER TIGHE, NATIONAL SECRETARY

STATEMENT OF FINANCIAL PERFORMANCE FOR THE YEAR ENDED 31 MARCH 2007

	Notes	2007	2006
		\$	\$
Revenue from ordinary activities	2	1,045,269	916,925
Other expenses from ordinary activities		(1,013,293)	(922,594)
Profit from ordinary activities before income tax expense (income tax revenue)		31,976	(5,669)
Income tax revenue (income tax expense) relating to ordinary activities			
Profit from ordinary activities after related income tax expense (income tax revenue)	3	31,976	(5,669)
Total changes in equity other than those resulting from transactions with owners as owners	8	31,976	(5,669)

STATEMENT OF FINANCIAL POSITION AS AT 31 MARCH 2007

	Notes	2007	2006
		\$	\$
CURRENT ASSETS			
Cash assets	4	12,198	5,790
Receivables	5	328,080	752,318
Other	6	17,825	9,933
TOTAL CURRENT ASSETS		358,103	768,041
TOTAL ASSETS		358,103	768,041
CURRENT LIABILITIES			
Payables	7	253,880	695,794
TOTAL CURRENT LIABILITIES		253,880	695,794
TOTAL LIABILITIES		253,880	695,794
NET ASSETS		104,223	72,247
EQUITY			
Retained profits	9	104,223	72,247
TOTAL EQUITY	8	104,223	72,247

STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 31 MARCH 2007

·	Notes	2007	2006
		\$	\$
CASH FLOW FROM OPERATING ACTIVITIES			
Receipts from customers		1,466,639	255,170
Payments to suppliers and employees		(1,463,099)	(322,755)
Interest received		2,868	1,335
Net cash provided by/(used in) operating activities	12(b)	6,408	(66,250)
Net increase/(decrease) in cash held		6,408	(66,250)
Cash at beginning of financial year		5,790	72,040
Cash at end of financial year	12 (a)	12,198	5,790

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

NOTE 1: STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements have been prepared in accordance with applicable Accounting Standards, other mandatory professional reporting requirements (Urgent Issues Group Consensus Views) and the Workplace Relations Act, 1996. The financial statements have also 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 stated.

The following is a summary of the material accounting policies adopted by the company 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 has been raised as the company is exempt from income tax under Division 50 of the Income Tax Assessment Act 1997.

(b) Cash

For the purposes of the Statement of Cash Flows, cash includes cash on hand and at call deposits with banks or financial institutions, investments in money market instruments maturing within less than two months and net of bank overdrafts.

(c) Revenue

Interest revenue is recognised on a proportional basis taking into account the interest rates applicable to the financial assets. Other revenue is recognised when the right to receive the revenue has been established.

All revenue is stated net of the amount of goods and services tax (GST).

(d) 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 expense. Receivables and payables in the Statement of Financial Position are shown inclusive of GST.

(e) Comparative Figures

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

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

NOTE 2: REVENUE			
Operating activities			
- rendering of services		49,910	48,883
- interest	2(a)	2,868	1,335
- member subscriptions		258,920	251,707
- other revenue		733,571	615,000
		1,045,269	916,925
(a) Interest from:			
- other persons		2,868	1,335
NOTE 3: PROFIT FROM ORDINARY ACTIVITIES			
Profit (losses) from ordinary activities before income tax expenses (income tax revenue) has been determined after:			
(a) Expenses			
Borrowing costs:			
- other persons			52
Remuneration of the auditors for			
- audit or review services		2,700	2,700
NOTE 4: CASH ASSETS			
Cash at bank		12,198	5,790
NOTE 5: RECEIVABLES			
CURRENT			
Other debtors		328,080	752,318
•			
NOTE 6: OTHER ASSETS			
CURRENT	***************************************		· · · · · · · · · · · · · · · · · · ·

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

Other current assets	<u>17,825</u>	9,933
NOTE 7: PAYABLES		
CURRENT		
Unsecured liabilities		
Trade creditors	240,180	689,906
Sundry creditors and accruals	13,700	5,888
	253,880	695,794
NOTE 8: EQUITY	`	
Total equity at the beginning of the financial year	72,247	77,916
Total changes in equity recognised in the statement of financial performance	31,97 <u>6</u>	(5,669)
Total equity at the reporting date	104,223	72,247
and the state of t		
NOTE 9: RETAINED PROFITS		
Retained profits at the beginning of the financial year	72,247	77,916
Net profit (loss) attributable to members of the entity	31,976	(5,669)
Retained profits at the end of the financial year	104,223	72,247

NOTE 10: CONTINGENT LIABILITIES AND ASSETS

Contingent Liabilities

There are no known contigent liabilities as at balance date or to the date of this report.

NOTE 11: EVENTS SUBSEQUENT TO REPORTING DATE

There was no events significant subsequent to balance date and upto the date of this report.

NOTE 12: RELATED PARTY TRANSACTIONS

The following persons were members of the National Executive, during the year ending 31 March 2006.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

Ed Husic
Colin Cooper
Peter Tighe
Earl Setches
Bernard Riordan
Dean Mighell
Richard Williams
Steve McCarney
Jorgen Gullestrop
Jim Metcher
Paul Kelly
Gary Carson
Sharelle Herrington
Ian McCarthy
Vivette Horrex

National President

`National Vice President

'National Secretary

' National Assistant Secretary

"NSW Branch Secretary – Electrical Division Southern States Branch – Electrical Division QLD Branch Secretary – Electrical Division NSW Branch Secretary – Plumbing Division QLD Branch Secretary – Plumbing Division

NSW P & T Branch Secretary – Communications Division P & T WA Branch Secretary – Communications Division WA T & S Branch Secretary – Communications Division Affirmative Action Assistant Secretary – Communications Div

NSW T & S Branch Secretary - Communications Div

NSW T & S Assistant Branch Secretary - Communications Div

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

NOTE 13: CASH FLOW INFORMATION

(a) Reconciliation of cash

Cash at the end of the 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	12,198	5,790
(b) Reconciliation of cash flow from operations with profit from ordinary activities after income tax		
Profit (Loss) from ordinary activities after income tax	31,976	(5,669)
Changes in assets and liabilities		•
(Increase)/decrease in receivables	424,238	(660,420)
Increase in other assets	(7,892)	(5,683)
Increase/(decrease) in payables	(441,914)	605,522
Cash flows from operations	6,408	(66,250)

NOTE 14: FINANCIAL INSTRUMENTS

(a) Interest Rate Risk

The company'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 classes of financial assets and financial liabilities, is as follows:

	Ave Effe	ghted rage ctive st Rate	Floating Into	erest Rate	Non Interes	t Bearing	Tota	ıl
	2007	2006	2007	2006	2007	2006	2007	2006
Financial Assets:	%	%	\$	\$	\$	\$	\$	\$
Cash	0.07	0.07	12,198	5,790	-	-	12,198	5,790
Receivables	-	-			345,905	762,251	345,905	77,714
Total Financial Assets			12,198	5,790	345,905	762,251	358,103	83,504
Financial Liabilities:								
Trade and sundry creditors	-	-			253,880	695,794	253,880	695,794
Total Financial Liabilities					253,880	695,794	253,880	695,794

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

NOTE 15: COMPANY DETAILS

The registered office of the company is:

Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services of Australia - National Council

Level 7, 1 Rosebery Avenue

Rosebery NSW 2018

NOTE 16: INFORAMATION TO BE PROVIDED TO MEMBERS OR REGISTRAR

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

- (1) A member of the reporting unit, or a registrar, may apply to the reporting unit for specified prescribed information in relation to the reporting unit to be made available to the person making the application.
- (2) The application must be in writing and must specify the period within which, and the manner in which, the information is to be made available. The period must be less than 14 days after the application is given to the reporting unit.
- (3) A reporting unit must comply with the application made under subsection (1).

COMMITTEE OF MANAGEMENT STATEMENT

On (Date of Meeting) the committee of Management of Communication Electrical Electronic Energy Information Postal Plumbing and Allied Services Union of Australia – National Council passed the following resolution in relation to the general purpose financial report (GPFR) of the reporting unit for the financial year ended 31 March 2007.

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 Register;
- (c) the financial statements and notes give a true and fair view of the financial performance, financial position and cash flows of the CEPU- National Council for the financial year to which they relate;
- (d) there are reasonable grounds to believe that the CEPU- National Council 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 the financial year:
 - (i) meetings of the committee of management were held in accordance with the rules of the organization including the rules of a branch concerned; and
 - (ii) the financial affairs of the CEPU- National Council have been managed in accordance with the rules of the organization including the rules of branch concerned; and
 - (iii) the financial records of the CEPU- National Council have been kept and maintained in accordance with Schedule 1B to the Workplace Relations Act 1996 and the Workplace Relations (Registration and Accountability of Organisation) Regulations 2003; and
 - (iv) the financial records of the CEPU- National Council have been as far as practicable, in consistent manner to each of the other branches of the organization; and
 - (v) no information has been sought in any request of a member of the CEPU- National Council or a Registrar duly made under section 272 of Schedule 1B to the Workplace Relations Act 1996; and
 - (vi) no order have been made by the Industrial Registrar under section 273 of Schedule 1B to the Workplace Relations Act 1996.

For the National Executive

Peter Tighe

National Secretary

INDEPENDENT AUDIT REPORT TO THE MEMBERS OF COMMUNICATIONS ELECTRICAL ELECTRONIC ENERGY INFORMATION POSTAL PLUMBING AND ALLIED SERVICES OF AUSTRALIA - NATIONAL COUNCIL

Scope

We have audited the financial report of Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services of Australia - National Council for the financial year ended 31 March 2007 comprising the Directors' Declaration, Statement of Financial Performance, Statement of Financial Position, Statement of Cash Flows and notes to the financial statements.

The company's directors are responsible for the financial report. We have conducted an independent audit of this financial report in order to express an opinion on it to the members of the company.

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 Accounting Standards and other mandatory professional reporting requirements in Australia and statutory requirements so as to present a view which is consistent with our understanding of the company's financial position and performance as represented by the results of its operations and its cash flows.

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

Audit Opinion

In our opinion, the financial report of Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services of Australia - National Council is in accordance with:

- (a) the Corporations Act 2001, including:
 - (i) giving a true and fair view of the company's financial position as at 31 March 2007 and of its performance for the financial year ended on that date; and
 - (ii) complying with Accounting Standards in Australia and the Corporations Regulations 2001; and
- (b) other mandatory professional requirements in Australia.

Pinker Amold & McLoughlin Suite 1 Level 2 420 Forest Road Hurstville NSW 2220

Richard Charles Pinker

September 2007

Partner

Hurstville NSW

DISCLAIMER TO THE MEMBERS OF COMMUNICATIONS ELECTRICAL ELECTRONIC ENERGY INFORMATION POSTAL PLUMBING AND ALLIED SERVICES OF AUSTRALIA - NATIONAL COUNCIL

The additional financial data presented on page 13 is in accordance with the books and records of the company which have been subjected to the auditing procedures applied in our statutory audit of the company for the financial year ended 31 March 2007. 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 financial data and we give no warranty of accuracy or reliability in respect of the data provided. Neither the firm nor any member or employee of the firm undertakes responsibility in any way whatsoever to any person (other than Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services of Australia - National Council) in respect of such data, including any errors of omissions therein however caused.

Pinker Arnold & McLoughlin Suite 1 Level 2 420 Forest Road Hurstville NSW 2220

Richard Charles Pinker

September 2007

Partner

Hurstville NSW

PRIVATE INFORMATION FOR THE DIRECTOR ON THE 2007 FINANCIAL STATEMENTS

DETAILED PROFIT AND LOSS FOR THE YEAR ENDED 31 MARCH 2007

	2007	2006
	\$	\$
INCOME		
Other professional income	49,910	48,883
Interest	2,868	1,335
Membership subscriptions	258,920	251,707
Other income	733,571	615,000
TOTAL INCOME	1,045,269	916,925
LESS EXPENSES		
Affiliation fees	262,611	251,707
Audit fees	2,700	2,700
Bank charges	4,751	33
Donations .	719,870	635,000
Interest paid	-	52
Legal costs	17,962	11,430
Printing and stationery	-	3,780
Secretarial Services	5,399	5,142
TUTA		12,750
TOTAL EXPENSES	1,013,293	922,594
OPERATING PROFIT/(LOSS)	31,976	(5,669)

PENNA, Belinda

From:

PENNA, Belinda

Sent:

Monday, 26 May 2008 12:14 PM

To:

'jcallaghan@nat.cepu.asn.au'

Subject:

Outstanding Financial Statements and Accounts for the CEPU National Office for the year

ending 31 March 2007.

Attachments:

CEPU Nat Off 2April2007.pdf; CEPU Nat Off 24Oct2007.pdf; CEPU 29Jan2008.pdf;

CEPU Nat Off 26March2008.pdf

Dear Jennifer,

Further to our telephone conversation please find attached pdf scans of the previous correspondence sent by the Registry to the CEPU National Office dated 2 April 2007



CEPU Nat Off 2April2007.pdf (4...

24 October 2007,



CEPU Nat Off 24Oct2007.pdf (90..

and 29 January 2008,



CEPU Jan2008.pdf (116 K

and an email sent 26 March 2008



CEPU Nat Off 26March2008.pdf (...

regarding the outstanding financial statements and accounts for the CEPU National Office for the year ending 31 March 2007.

The Deputy Industrial Registrar, Mr Barry Jenkins, has asked me to contact you regarding the current position of these outstanding financial statements and accounts.

These documents are now substantially overdue and your advice is sought on when it is likely that the documents will be lodged in the Registry.

If you would like to discuss this matter please contact me on 02 8374 6618 or the email address link provided below.

Yours sincerely

Belinda Penna

NSW Registry Team Australian Industrial Registry

ph: 02 8374 6618

email: belinda.penna@air.gov.au

ENNA, Belinda

From:

Sue Kealy [SueKealy@nat.cepu.asn.au]

To: Sent:

Subject:

PENNA, Belinda
Thursday, 27 March 2008 11:42 AM
Not read: Financial statements and accounts - CEPU National Office for the year ending
31 March 2007

Your message

To:

SueKealy@nat.cepu.asn.au

Subject:

was deleted without being read on 27/03/2008 11:42 AM.

ENNA, Belinda

From:

PENNA, Belinda

Sent:

Wednesday, 26 March 2008 12:07 PM

To:

'carla@nat.cepu.asn.au'

Subject:

Financial statements and accounts - CEPU National Office for the year ending 31 March

2007

Attachments:

CEPU 29Jan2008.pdf

Dear Carla,

I refer to our previous correspondence dated 2 April 2007, 24 October 2007 and 29 January 2008 regarding the financial statements and accounts for the CEPU National Office for the year ending 31 March 2007.

To date, no response has been received to the correspondence of 29 January 2008 (a copy of which is attached).



Jan2008.pdf (119 K

The Deputy Industrial Registrar, Mr Barry Jenkins, has asked me to contact you regarding the current position of these outstanding financial statements and accounts.

These documents are now substantially overdue and your advice is sought on when it is likely that the documents will be lodged in the Registry.

If you would like to discuss this matter please contact me on 02 8374 6666 or the email address link provided below.

regards

Belinda Penna

NSW Registry Team Australian Industrial Registry ph: 02 8374 6618 email: belinda.penna@air.gov.au



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 Peter Tighe National Secretary CEPU National Office Suite 701, Level 7 5-13 Rosebery Avenue ROSEBERY NSW 2018

Dear Mr Tighe

Re: Outstanding Financial Statements and Accounts Documents for the CEPU National Office for the year ending 31 March 2007 (FR2007/202)

I refer to the previous correspondence dated 24 October 2007 (a copy of which is attached) concerning the outstanding lodgement of the financial statements and accounts for the year ended 31 March 2007.

To date, no response has been received to this letter, and the lodgement of these documents is now substantially overdue.

Accordingly, you are requested to lodge in the Registry, under cover of a certificate by the Secretary in accordance with section 268 of the *Workplace Relations Act 1996*, the abovementioned documents.

If you are unable to lodge the documents at this time please advise the Registry **in writing** by 15 February 2008 of the reasons preventing lodgement.

If you wish to discuss this matter, please contact me by email at belinda.penna@air.gov.au or by telephone on 02 8374 6618.

Yours sincerely,

Belinda Penna

For Deputy Industrial Registrar

Borinda Penn

29 January 2008

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

Ref: FR2007/202 -[128V]

Mr Peter Tighe
National Secretary
CEPU National Office
PO Box 380
ROSEBERY NSW 2018



Dear Mr Tighe

Re: Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia – National Office - Outstanding Financial Documents - Workplace Relations Act 1996

The Accounts and Audit Part of Schedule 1 of the *Workplace Relations Act 1996* requires, as a general rule, that the audited financial statements of a reporting unit of a registered organisation, be lodged in the Industrial Registry within 6 months and 14 days from the end of its financial year.

To date, the Registry has no record of lodgement of the financial reports of the above named reporting unit for the year ended 31 March, 2007. For details of these provisions and organisations' financial reporting obligations please refer to the Registry's earlier correspondence.

In particular there is no record of lodgement of copies of:

- the general purpose financial report;
- the auditor's report; or
- the operating report.

These three reports are referred to as the "full report".

Section 268 of the RAO Schedule¹ requires that a copy of the full report be lodged in the Registry within 14 days (or such longer period a Registrar allows) after the full report is presented to a general meeting of members (or to a committee of management meeting if the rules make provision consistent with s266(3)).

Section 266 (1) requires that the full report be presented to the meeting within 6 months of the end of the financial year. Therefore, lodgement of the documents in the Registry was required by **15 October, 2007.**

Section 305(2)(ze) of the RAO Schedule is a civil penalty provision. It provides that a failure to meet the requirements of s268 is a contravention of that civil penalty provision. The Federal Court may on application of the Industrial Registrar impose a pecuniary penalty on the person or organisation whose conduct contravened the civil penalty provision.

I also draw your attention to the provisions of Part 1 of Chapter 9 of the RAO Schedule which set out the general duties of officers and employees of organisations and their branches in relation to financial management.

In the absence of lodgement of a copy of the full report, I request you state in writing by 14 November, 2007:

whether the auditor has audited the general purpose financial report and if so, the date on which
the auditor signed the audit report

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¹ Schedule 1 of the Workplace Relations Act 1996

- whether the committee of management has prepared the operating report
- whether the full report has been provided to members, and if so, when
- whether the full report provided to the members has been presented to a general or committee of management meeting, and if so, when
- when a copy of the full report will be lodged in the Industrial Registry.

The full report when lodged must be accompanied by a certificate of the secretary or other authorised officer that the documents lodged are copies of the documents provided to members and presented to the general or committee of management meeting in accordance with s266.

If you wish to discuss this letter, please contact me on (02) 8374 6618. In reply please quote: **FR2007/202.**

Yours sincerely

Belinda Penna

E-mail: belinda.penna@air.gov.au

Berinda Penn

24 October, 2007

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

Ref: FR2007/202-[128V]

Mr Peter Tighe National Secretary CEPU National Office Suite 701, Level 7 1 Rosebery Avenue ROSEBERY NSW 2018

Dear Mr Tighe

Financial Return - year ending 31 March, 2007

Our records show the 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*.

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.

Information on AIRC Website

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

- RAO Schedule
- 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 requirements of the RAO Schedule many of them deal with financial reporting matters.

Reporting Unit

Under the provisions of the Registration and Accountability of Organisations Schedule (RAO), Schedule 1 of the *Workplace Relations Act 1996*, 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 use the term "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 <u>Timeline/Planner</u> (Attachment A) to help you **plan** your financial return and carry out all the necessary steps. We have also attached a <u>Document Checklist</u> (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 <u>as soon as practicable</u> 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:
 - (a) 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
 - (b) 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 including disclosures related to any recovery of wages activity; and
 - (c) Committee of Management Statement as required by the Registrar's Reporting Guidelines (a sample certificate for illustrative purposes is at Attachment C) including declarations related to the recovery of wages activity.
- 2. **Operating Report** this report includes a review of your <u>reporting unit's</u> 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 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).

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 <u>and</u> 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.

Contact the Registry

We encourage you to contact the Registry on (02) 8374 6618 or by e-mail at belinda.penna@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 procedures but we cannot give you legal or accounting advice.

Yours sincerely

For Deputy Industrial Registrar

Carinda Penna

2 April, 2007

TIMELINE/ PLANNER

Financial reporting period ending:	1 1	
FIRST MEETING: Prepare General Purpose Financial Report (including Committee of Management Statement in accordance with C of M resolution) and Operating Report - s253(1), s254(1)	1 1	as soon as practicable after end of financial year
Auditor's Report prepared and signed and given to the Reporting Unit - s257	1 1	within a reasonable time of having received the GPFR
Provide full report free of charge to members. (a) if the report is to be presented before a General Meeting (which must be held within 6 months after the end of the financial year), the report must be provided to members 21 days before the General Meeting, or (b) in any other case including where the report is presented to a Committee of Management meeting, the report must be provided to members within 5 months of end of financial year. (obligation to provide full report may be discharged by provision of a concise report s265(1))	1 1	
SECOND MEETING: Present full report to: (a) General Meeting of Members - s266 (1),(2), or (b) where rules of organisation allow, a Committee of Management meeting - s266 (3)	/ / ·	within 6 months of end of financial year within 6 months of end of financial year
Lodge full report (including any concise report) in the Industrial Registry together with secretary's certificate (or other officer authorised by the rules of the organisation) - s268	. / /	within 14 days of meeting
<u> </u>	· · · · · · · · · · · · · · · · · · ·	1

Note: The legislation makes limited provision for extensions of time concerning the provision of the full report to-members and the presentation of the full report to-a general-meeting-etc-however the maximum-extratime allowed can be no more than one month.

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Attachment B

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.

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?	
	Does the statement contain declarations relating to any recovery of wages activity?	
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?	1
	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?	1
i	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?	ļ
	Does the certificate state that the documents are copies of those provided to members?	
1	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).

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Committee Of Management Statement

On		_/		[date			ting]	the	Comn		of		nager		of
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The	Committ	tee of	Manageme	nt declar	es in relat	ion to 1	the GPF	R that in	ı its opir	nion:	.•				
(a)	the fina	ancial	statements	and note	es comply	* with t	he Austr	alian Ac	countin	g Stand	ards;				
(b)	the fina	ancial	statements	and note	es comply	* with t	he repor	ting guid	delines	of the In	dustria	al Regi	istrar;		
(c)		ancial cash	statements flows o	and not	es give a reporting				the fina			ance, which			sition elate;
(d)			asonable gro and payabl		believe t	hat the	e reportir	ng unit w	vill be al	ole to pa	ay its c	lebts a	s and	wher	they
(e)	during	the	financial	year to	o which	the	GPFR	relates	s and	since	the	end	of t	that	year:
	(i)		tings of th							accord	ance	with t	he ru	les o	f the
	(ii)		inancial affanisation incl							in acco	rdance	e with	the re	ules c	of the
	(iii)		inancial red Schedule a					been* k	ept and	l mainta	ined i	n acco	ordand	e wit	h the
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(f)	in rela	ition to	o recovery o	f wages	activity:										
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	For Comm	nittee of Management:	· · · · · · · · · · · · · · · · · · ·	[name o	f designated	officer per	section 243 of the
	RAO Sche	edule]					
	Title of Off	ïce held:			•		
	Signature:			•			
	Date:						
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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.

unit on [insert date], in accorda	ance with section 200 of the	e RAO Schedule.	
Signature			
Date:			a t

¹RAO 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.

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²Only applicable where a concise report is provided to members

³Insert whichever is applicable