



FAIR WORK
AUSTRALIA

18 November 2009

Mr G McCulloch
General Secretary
National Tertiary Education Industry Union

Dear Mr McCulloch

Re: s271 Exemption Certificate various for 30 June 2009

I refer to your letter of 14 October 2009 addressed to "The Registrar" Fair Work Australia. The letter was received at Fair Work Australia (FWA) on 20 October 2009. I also refer to a further letter of 16 November 2009, which was received at FWA on 18 November 2009.

In the original correspondence you make application "at the request and on behalf of each of the reporting units of the National Tertiary Education Industry Union (NTEU) set out in "a list attached to the application". The second piece of correspondence seeks to add two additional reporting units to the list of reporting units to be covered by the application.

I note that in support of the application you refer to the "force of Schedule G Section 3(a) of the NTEU rules" and secondly a statement that as a matter "... of fact from 30 June 2008 the assets and liabilities of each of the Branches and Divisions have transferred to the custody and control of the "NTEU Fund".

I further note that apart from the Film and Television Branch and the Victorian Division, FWA has received audited financial reports from each of the relevant reporting units which verify as fact that relevant assets and liabilities have indeed been transferred in accordance with the rules. I expect that the remaining reports will be lodged shortly. I understand from your correspondence the appropriate financial reports for the organisation have not yet been completed, but that you expect that will occur by March 2010. I take this opportunity to remind you of the import of reporting units strictly complying with each aspect of the legislative reporting requirements under the Fair Work (Registered Organisations) Act 2009, the Fair Work (Registered Organisations) Regulations and the Reporting Guidelines.

I am satisfied that each of the Divisions/Branches nominated in your application is a reporting unit and that they did not have any financial affairs in the year ended 30 June 2009. The attached certificate reflects this decision. As a matter of convenience I have chosen to deal with each reporting unit under the one certificate.

I grant an extension of time for the making of the application(s). I do so on the basis of the particular circumstances of this application(s).

I advise the organisation that while I have determined to issue a certificate in relation to each of the nominated reporting units I will require further applications be made consistent with the provisions of section 271.

Yours sincerely

Terry Nassios
Delegate to General Manager
Tribunals Services and Organisations



FAIR WORK
AUSTRALIA

Fair Work (Registered Organisations) Act 2009
s.271 certificate of exemption from requirements of Chapter 8, Part 3

National Tertiary Education Industry Union

CERTIFICATE

On 20 October 2009 and 18 November 2009 applications were made under section 271(1) of the *Fair Work (Registered Organisations) Act 2009* by the National Tertiary Education Industry Union for certificates of exemption in respect of the financial year ended 30 June 2009 for the following reporting units:

Australian Capital Territory Division (FR2009/10159)
New South Wales Division (FR2009/10174)
Northern Territory Division (FR2009/10175)
Queensland Division (FR2009/10177)
South Australian Division (FR2009/10179)
Tasmanian Division/Branch (FR2009/10183)
Victorian Division (FR2009/10022)
Western Australian Division (FR2009/10189)
Australian Catholic University Branch (FR2009/10034)
Australian National University Branch (FR2009/10171)
BIITE (Batchelor) Branch
Bond University Branch (FR2009/10029)
Central Queensland University Branch (FR2009/10027)
Charles Darwin University Branch
Charles Sturt University Branch (FR2009/10162)
College of Law Branch (FR2009/10030)
Curtin University Branch (FR2009/10163)
Deakin University Branch (FR2009/10164)
Edith Cowan University Branch (FR2009/10165)
Flinders University Branch (FR2009/10166)
Griffith University Branch (FR2009/10167)

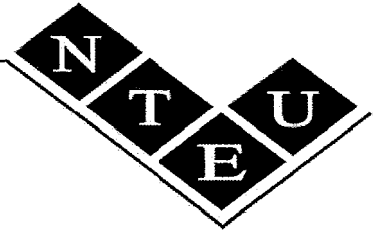
James Cook University Branch (FR2009/10120)
La Trobe University Branch (FR2009/10168)
Macquarie University Branch (FR2009/10037)
Monash University Branch (FR2009/10169)
Murdoch University Branch (FR2009/10170)
Queensland University of Technology Branch (FR2009/10018)
Royal Australian College of General Practitioners Branch (FR2009/10020)
Royal Melbourne Institute of Technology Branch (FR2009/10178)
Southern Cross University Branch (FR2009/10019)
Swinburne University of Technology Branch (FR2009/10181)
University of Adelaide Branch (FR2009/10160)
University of Ballarat Branch (FR2009/10161)
University of Canberra Branch (FR2009/10158)
University of Melbourne Branch (FR2009/10036)
University of New England Branch (FR2009/10172)
University of Newcastle Branch (FR2009/10173)
University of New South Wales Branch (FR2009/10021)
University of Notre Dame Australia
University of Queensland Branch (FR2009/10176)
University of South Australia Branch (FR2009/10185)
University of Southern Queensland Branch (FR2009/10026)
University of Sunshine Coast Branch (FR2009/10180)
University of Sydney Branch (FR2009/10182)
University of Technology, Sydney Branch (FR2009/10184)
University of Western Australia Branch (FR2009/10188)
University of Western Sydney Branch (FR2009/10186)
University of Wollongong Branch (FR2009/10190)
Victorian Adult and Community Education (ACE) and Companies Branch
Victoria University of Technology Branch (FR2009/10187)
Victorian TAFE Branch

are reporting units that do not have any financial affairs in the year ended 30 June 2009.



T. NASSIOS
Delegate of the General Manager
Fair Work Australia
12 November 2009

**National
Tertiary
Education
Industry
Union**



NATIONAL OFFICE

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The Registrar
Fair Work Australia
Level 4, 11 Exhibition Street
MELBOURNE VIC 3001

14 October 2009

**RE: Application for exemption certificate - Financial Reporting Obligations under Fair Work
(Registered Organizations) Act 2009 - (Section 271)**

I Grahame McCulloch, being the General Secretary of the National Tertiary Education Industry Union, make this application at the request of and on behalf of the following reporting units of the National Tertiary Education Industry Union (NTEU) set out in the attached list.

In consideration of Section 271 of the Act I apply for a certificate to exempt the Branches and Divisions of the NTEU from the requirements relating to financial matters occurring in the year ending 30th June 2009.

In support of the application I state:

1. On and from 30th June 2008, by force of Schedule G Section 3(a) of the NTEU rules it is not possible for any Branch/Division/NTEU to have any financial affairs.
2. As a question of fact, from 30th June 2008, the assets and liabilities of each of the Branches and Divisions have transferred to the custody and control of the "NTEU Fund", and income and expenditure are respectively received into and disbursed from that fund.

It should also be noted that during this transitional period the NTEU Fund has reached a provisional outcome for the year ending 30th June 2009, however the audit, advertising to members and Committee meeting to approve the Financials has yet to be processed. It is anticipated that lodgement will take place in March 2010.

Yours sincerely,

GRAHAME McCULLOCH

General Secretary

Reporting Units of the NTEU for which exemption is sought

NTEU DIVISIONS

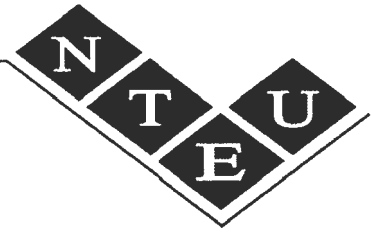
ACT Division
New South Wales Division
Northern Territory Division
Queensland Division
South Australian Division
Tasmanian Division/Branch
Victorian Division
Western Australian Division

NTEU BRANCHES

Australian Catholic University Branch
Australian National University Branch
BIITE (Batchelor) Branch
Central Queensland University Branch
Charles Darwin University Branch
Charles Sturt University Branch
College of Law Branch
Curtin University Branch
Deakin University Branch
Edith Cowan University Branch
Flinders University Branch
Griffith University Branch
James Cook University Branch
La Trobe University Branch
Macquarie University Branch
Monash University Branch
Murdoch University Branch
Queensland University of Technology Branch
RACGP/GPEA Branch
RMIT University Branch
Southern Cross University Branch
Swinburne University Branch
University of Adelaide Branch
University of Ballarat Branch
University of Canberra Branch
University of Melbourne Branch
University of New England Branch
University of Newcastle Branch
University of NSW Branch
University of Queensland Branch
University of South Australia Branch
University of Southern Queensland Branch

University of Sunshine Coast Branch
University of Sydney Branch
University of Technology, Sydney - Branch
University of Western Australia Branch
University of Western Sydney Branch
University of Wollongong Branch
Victoria Adult and Community Education (ACE) and Companies branch
Victoria University Branch
Victorian TAFE Branch

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The Registrar
Fair Work Australia
Level 4, 11 Exhibition Street
MELBOURNE VIC 3001

16 November 2009

RE: Supplementary application for exemption certificate - Financial Reporting Obligations under Fair Work (Registered Organizations) Act 2009 - (Section 271)

In our letter of 14 October 2009 regarding an exemption certificate pursuant to section 271 of the above Act, we omitted to include the branches of University of Notre Dame Australia and Bond University. We formally make an application with respect to those two branches as follows:

I Grahame McCulloch, being the General Secretary of the National Tertiary Education Industry Union, make this application at the request of and on behalf of the following reporting units of the National Tertiary Education Industry Union (NTEU):

- University of Notre Dame Australia Branch
- Bond University Branch

In consideration of Section 271 of the Act I apply for a certificate to exempt the above Branches and of the NTEU from the requirements relating to financial matters occurring in the year ending 30th June 2009.

In support of the application I state:

1. On and from 30th June 2008, by force of Schedule G Section 3(a) of the NTEU rules it is not possible for any Branch/Division/NTEU to have any financial affairs.
2. As a question of fact, from 30th June 2008, the assets and liabilities of each of the Branches and Divisions have transferred to the custody and control of the "NTEU Fund", and income and expenditure are respectively received into and disbursed from that fund.

It should also be noted that during this transitional period the NTEU Fund has reached a provisional outcome for the year ending 30th June 2009, however the audit, advertising to members and Committee meeting to approve the Financials has yet to be processed. It is anticipated that lodgement will take place in March 2010.

Yours sincerely,

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

GRAHAME McCULLOCH

General Secretary