



FAIR WORK
AUSTRALIA

10 May 2011

Mr Grahame McCulloch
General Secretary
National Tertiary Education Industry Union

Dear Mr McCulloch,

Re: Section 271 application for exemption from the financial reporting obligations of Part 3 of Chapter 8 of the *Fair Work (Registered Organisations) Act 2009*

I refer to your letter of 20 April 2011 addressed to 'The General Manager' Fair Work Australia. The letter was received at Fair Work Australia (FWA) on 21 April 2011. In this 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.

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 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 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 2010. 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 to be made within 90 days after the end of the financial year. 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 2009* and the Reporting Guidelines.

Yours sincerely

Terry Nassios
Delegate of Fair Work Australia

11 Exhibition Street
Melbourne VIC 3000
GPO Box 1994
Melbourne VIC 3001

Telephone: (03) 8661 7777
Email: orgs@fwa.gov.au
Facsimile: (03) 9655 0410
Internet: www.fwa.gov.au



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 21 April 2011 an application was made under section 271(1) of the *Fair Work (Registered Organisations) Act 2009* by the National Tertiary Industry Education Union for certificates of exemption in respect of the financial year ended 30 June 2010 for the following reporting units:

Australian Capital Territory Division [FR2010/2661]
Australian Catholic University Branch [FR2010/2657]
Australian Film Television and Radio School Branch [FR2010/2742]
Australian National University Branch [FR2010/2642]
Batchelor Institute of Indigenous Tertiary Education Branch [FR2010/2921]
Bond University Branch [FR2010/2653]
Burdekin Agricultural College Branch
Central Queensland University Branch [FR2010/2648]
Charles Darwin University Branch [FR2010/2922]
Charles Sturt University Branch [FR2010/2749]
College of Law Branch [FR2010/2655]
Curtin University of Technology Branch [FR2010/2654]
Dalby Agricultural College Branch
Deakin University Branch [FR2010/2656]
Edith Cowan University Branch [FR2010/2665]
Flinders University of South Australia Branch [FR2010/2740]
Griffith University Branch [FR2010/2743]
James Cook University of North Queensland Branch [FR2010/2744]
La Trobe University Branch [FR2010/2754]
Macquarie University Branch [FR2010/2666]
Monash University Branch [FR2010/2663]
Murdoch University Branch [FR2010/2660]
Northern Territory Division [FR2010/2635]
NSW Division [FR2010/2640]
Queensland Division [FR2010/2633]
Queensland University of Technology Branch [FR2010/2626]
Royal Australian College of General Practitioners Branch [FR2010/2632]
Royal Melbourne Institute of Technology Branch [FR2010/2631]
South Australian Division [FR2010/2627]
Southern Cross University Branch [FR2010/2628]
Swinburne University of Technology Branch [FR2010/2651]
Tasmanian Division [FR2010/2649]
University of Adelaide Branch [FR2010/2659]
University of Ballarat Branch [FR2010/2658]
University of Canberra Branch [FR2010/2662]
University of Melbourne Branch [FR2010/2664]
University of New England Branch [FR2010/2639]

University of New South Wales Branch [FR2010/2636]
University of Newcastle Branch [FR2010/2638]
University of Notre Dame Australia Branch [FR2010/2771]
University of Queensland Branch [FR2010/2634]
University of South Australia Branch [FR2010/2637]
University of Southern Queensland Branch [FR2010/2647]
University of Sunshine Coast Branch [FR2010/2630]
University of Sydney Branch [FR2010/2650]
University of Technology Sydney Branch [FR2010/2644]
University of Western Australia Branch [FR2010/2652]
University of Western Sydney Branch [FR2010/2646]
University of Wollongong Branch [FR2010/2629]
Victoria Adult and Community Education (ACE) and Companies Branch [FR2010/2773]
Victoria University of Technology Branch [FR2010/2645]
Victorian Division [FR2010/2641]
Victorian TAFE Branch [FR2010/2772]
Western Australian Division [FR2010/2643]

I am satisfied that the above-listed Divisions and Branches are reporting units did not have any financial affairs in the financial year ended 30 June 2010.



T. NASSIOS
Delegate of the General Manager
Fair Work Australia
10 May 2011

**National
Tertiary
Education
Industry
Union**



NATIONAL OFFICE

ABN 38 579 396 344

First floor, 120 Clarendon St, Southbank VIC 3006

PO Box 1323, South Melbourne VIC 3205

Tel: (03) 9254 1910 Fax: (03) 9254 1915

Email: nteunat@nteu.org.au

Web: www.nteu.org.au

Eve Anderson
Fair Work Australia
GPO Box 1994
Melbourne Victoria 3001
9th May 2011

Dear Eve

Re Financial Reporting for the year ended 30 June 2010(FR2010/271) and Exemptions for Branches and Divisions for the year ended 30 June 2010

I understand that the General Manager would like the NTEU to provide reasons for the lateness of our applications under Section 271 in respect of Branches and Divisions for the year ending 30 June 2010.

We acknowledge that these were not lodged in a timely manner.

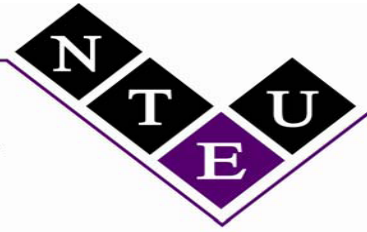
The only reason they were not lodged was that we thought it appropriate to lodge them at the same time as the other required documentation, being National Tertiary Education Industry Union (NTEU) Financial Report 2010, which is due to be lodged on the 17th May 2011.

Yours sincerely

GRAHAME MCCULLOCH

General Secretary

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ABN 38 579 396 344

First floor, 120 Clarendon St, Southbank VIC 3006

PO Box 1323, South Melbourne VIC 3205

Tel: (03) 9254 1910 Fax: (03) 9254 1915

Email: nteunat@nteu.org.au

Web: www.nteu.org.au

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

20th April 2011

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 2010.

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 (previously known as NTEU Fund) has been audited and members have been advised by email and/or mail that the full set of audited NTEU Financials 2009-2010 is available on the NTEU website. It is anticipated that lodgement will take place in early May 2011.

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 Film Television and Radio School Branch

Australian National University Branch

BIITE (Batchelor) Branch

Bond University Branch

Burdekin Agricultural College Branch

Central Queensland University Branch

Charles Darwin University Branch

Charles Sturt University Branch

College of Law Branch

Curtin University Branch

Dalby Agricultural College 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 New South Wales Branch

University of Notre Dame Australia

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