



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. M. McGowan
Division Secretary
National Tertiary Education Industry Union
Victorian Division
P.O. Box 1324
SOUTH MELBOURNE VIC 3205

Dear Mr. McGowan,

**Re: Application for certificate of exemption from requirements of Part IX, Division 11
of the Workplace Relations Act 1996**

I refer to your application dated 13 January 2003 for a certificate of exemption under subsection 271A(1) of the *Workplace Relations Act 1996* ('the Act'), in respect of the Centre for Adult Education Branch of the National Tertiary Education Industry Union, for the financial year ended 30 June 2002.

I have granted the application. My certificate is enclosed.

Yours sincerely,

Damien P. Staunton
Deputy Industrial Registrar

5 February 2003




Workplace Relations Act 1996

s.271A certificate of exemption from requirements of Part IX, Division 11

National Tertiary Education Industry Union
(FR 2002/437)

CERTIFICATE

On 20 January 2003 an application was made under subsection 271A(1) of the *Workplace Relations Act 1996* for a certificate of exemption by the Centre for Adult Education Branch of the National Tertiary Education Industry Union in respect of financial year ended 30 June 2002. I am satisfied that the branch did not have any financial affairs in the year ended 30 June 2002.


Damien P. Stanton
Deputy Industrial Registrar

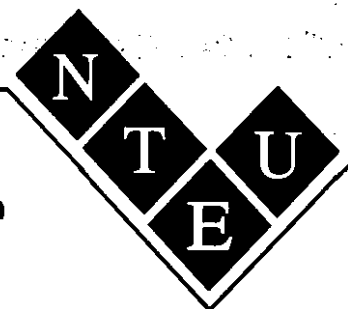


5 February 2003

13 January, 2003

Mr. Clency Lapierre
Statutory Services Branch
Australian Industrial Registry
GPO Box 1994S
Melbourne 3001

**National
Tertiary
Education
Union**



VICTORIAN DIVISION

Dear Mr. Lapierre

**Re: National Tertiary Education Industry Union – Council of Adult Education
Branch – Financial Reporting Obligations under Workplace Relations Act 1996**

S271A – Application for Certificate

My name is Matthew McGowan; I am the Victorian Division Secretary of the National Tertiary Education Union. I am making this application at the request of and on behalf of the Branch.

In consideration of s271A of the Act, I apply for a certificate to exempt the Branch from the requirements of the Act relating to financial matters occurring in the year ending 30 June 2002.


In support of the application I state:

1. The Branch does not hold an interest in any real or personal property.
2. The Branch does not act as a trustee in any form.
3. The Branch holds no funds prescribed under sub-rule 51.4 of the NTEU.
4. The Branch's structure is not mirrored in the form of another organisation.
5. Members pay their union dues individually by either direct debit or invoice to the National Office. No dues are paid through the Branch.
6. A small sustenance amount per member is remitted back to the Division Office, to be used if required for any activities on behalf of the members. The amount involved is currently less than \$600 per year.
7. The Branch does not have any obligations which require it to hold its own funds.

8. No financial records have been produced by the Branch for some years. The branch determined in November 2002 to close its bank account and transfer the funds to the Victorian Division. Arrangements have been made to do this in December 2002. This totals \$1,709.52.
9. The Branch's financial affairs have therefore, under subrule 40.A1, become the responsibility of the Victorian Division and any future expenditure will be recorded through an imprest system and duly audited within the Division's own financial reports.

If you require any future information please contact Frank Glaubitz on 9254 1930.

Yours sincerely



Matthew McGowan
Division Secretary



AUSTRALIAN INDUSTRIAL REGISTRY

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Mr. M. McGowan
Division Secretary
National Tertiary Education Industry Union
Victorian Division
PO Box 1324
SOUTH MELBOURNE VIC 3205

Dear Mr. McGowan,

Re: Lodgement of outstanding documents

It is a matter of concern to the Industrial Registrar that the Centre for Adult Education Branch of the National Tertiary Education Industry Union has not complied with the requirements of Part IX, Division 11 of the Workplace Relations Act 1996 (the Act) relating to the lodgement in the Industrial Registry of the financial documents for the years ended 30 June 1999, 2000 and 2001.

On several occasions officers of the Registry have contacted officers of the branch, the Victorian Division and the Federal Office of the organisation about the outstanding documents. It is noted that:

- ❖ a letter about the outstanding financial documents was sent on 25 October 2001 to Mr. J Hocking (Branch Treasurer) advising that an examination of the financial documents lodged indicates that the Branch may not have had any financial affairs for the years ended 30 June 1999, 30 June 2000 and 30 June 2001 and that the above matter was discussed with Mr. Michael Pegg (acting Victorian Division Secretary) who would be contacting Mr Hocking to discuss the suitability of arranging lodgement of section 271A exemption applications;
- ❖ On 13 November 2001 Mr. Michael Pegg advised Mr. Larry Powell of the Registry that section 271A applications would be lodged in the next couple of weeks;
- ❖ A letter about the outstanding financial documents was sent to Mr. Ken McAlpine (National Industrial Officer) of the organisation on 21 February 2002 requesting his assistance in regard to the outstanding documents;
- ❖ A letter was sent to Mr. Graham McCulloch (National Secretary) on 15 May 2002 requesting advice by 28 May 2002 as to what steps have been taken to finalise the outstanding financial documents;
- ❖ On 18 June 2002 Mr. Pegg advised Mr Powell that he would follow up the outstanding documents;
- ❖ On 19 June 2002 Ms. Jenny Savage of the National Office advised Mr. Powell she will contact Mr. Pegg in relation to the outstanding documents;
- ❖ On 14 August 2002 Ms Jenny Savage advised Mr. Powell she will contact the Victorian Division Secretary in relation to the outstanding documents;
- ❖ A letter was sent to you on 9 October 2002 from Deputy Industrial Registrar Staunton. In that letter your urgent written advice was requested as to when lodgement of the financial documents for the years ended 30 June 1999, 30 June 2000, 30 June 2001 and 30 June 2002 may be expected.

As lodgement of the abovementioned documents, in particular for the years ended 30 June 1999, 30 June 2000 and 30 June 2001 are now well overdue and remain outstanding legal obligations on the part of the branch, it is requested that all the outstanding documents be lodged in the Industrial Registry by Monday, 11 November 2002.

Should you wish to discuss the contents of this letter I may be contacted on (03) 8661 7993.

Yours sincerely,



Larry Powell
Statutory Services Branch

23 October 2002



AUSTRALIAN INDUSTRIAL REGISTRY

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Mr. M. McGowan
Division Secretary
National Tertiary Education Industry Union
Victorian Division
PO Box 1324
SOUTH MELBOURNE VIC 3205

Dear Mr. McGowan,

Re: Applications for certificates of exemption from requirements of Part IX, Division 11 of the Workplace Relations Act 1996 - FR 2002/436, 438, 439, 445, 448, 450, 451, 453, 455, 463, 476, 477, 490 and 491.

I refer to your applications dated 26 September 2002 for a certificate of exemption under subsection 271A(1) of the *Workplace Relations Act 1996* ('the Act'), in respect of the following branches of the National Tertiary Education Industry Union, for the financial year ended 30 June 2002:

Box Hill Institute of TAFE Branch
Central Gippsland Institute of TAFE Branch
Chisholm Institute of TAFE Branch
East Gippsland Institute of TAFE Branch
Gordon Institute of TAFE Branch
Goulburn-Ovens Institute of TAFE Branch
Holmesglen College of TAFE Branch
Kangan Batman Institute of TAFE Branch
Bendigo Regional Institute of TAFE Branch
Northern Melbourne Institute of Technology Branch
Sunraysia Institute of TAFE Branch
South West Institute of TAFE Branch
William Angliss Institute of TAFE Branch
Wodonga Institute of TAFE Branch

I have granted the applications. My certificates are enclosed.

An examination of the records of this office indicates that the financial documents of the Centre for Adult Education Branch for the years ended 30 June 1999, 30 June 2000, 30 June 2001 and 30 June 2002 have not been received.

Your advice, in writing, is urgently requested as to when lodgement, under cover of your certification in accordance with subsection 280(1), may be expected.

Should you wish to discuss the matters raised in this letter, Mr. Larry Powell can be contacted on (03) 8661 7993.

Yours sincerely,

Damien P. Staunton
Deputy Industrial Registrar
9 October 2002