



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

Ms. M. Hennessy
Secretary
National Tertiary Education Industry Union
Macquarie University Branch NTEU Office
W3A 405
C/- Law School
Macquarie Street
NORTH RYDE NSW 2109

Dear Ms. Hennessy,

Re: Financial statements for year ended 30 June 2002 - FR2002/456

This is a courtesy letter to remind you of the financial reporting requirements of Part IX, Division 11 of the Workplace Relations Act 1996 ('the Act') in respect of financial year ended 30 June 2002.

An organisation registered under the Act or a branch of such an organisation is required to carry out the various steps of the financial reporting obligations within certain time-scales.

In relation to financial documents for year ended 30 June 2002, the auditor should have made a report to the branch as required by subsection 276(1) of the Act before 31 December 2002. If you have not done so already you should consider implementing the following steps:

- provision of copies of the auditor's report, accounts and statements to the members,
- following provision of copies to the members, presentation of the auditor's report, accounts and statements to a meeting of the members or the committee of management
- lodgement of copies of the auditor's report, accounts and statements in the Industrial Registry accompanied by your certificate confirming that the documents so lodged are copies of those presented to the relevant meeting - the certificate should specify the type of meeting and the date when the meeting was held.

In the normal course of events, financial statements for year ended 30 June 2002 should be lodged in the Industrial Registry before 31 March 2003. Please note that the Act provides for extensions of time to be sought and granted in certain circumstances.

If you have already taken steps to have the financial statements lodged in the Industrial Registry before 31 March 2003, please disregard this letter.

I have enclosed for your information a notice describing the financial reporting requirements in more detail, including the time-scales prescribed by the legislation.

Should you wish to discuss this letter please contact me on (03) 8661 7787.

Yours sincerely

Clency Lapierre
Statutory Services Branch

11 March 2003



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Secretary
National Tertiary Education Industry Union
Macquarie University Branch
NTEU Office
W3A 405, C/- Law School
Macquarie University
NORTH RYDE NSW 2109

Dear Ms. Henessy,

**Re: Outstanding Financial Documents - Workplace Relations Act 1996
FR2002/456**

There is no record of lodgement in the Industrial Registry of the auditor's report, accounts and statements of the abovenamed body, prepared in accordance with the *Workplace Relations Act 1996* ('the Act'), for the year ended **30 June 2002**.

An organisation registered under the Act or a branch of such an organisation is required after the end of its financial year to prepare accounts and statements, obtain an audit report, provide copies of the auditor's report, accounts and statements ('the financial documents') to its members, present the financial documents to a meeting of members or committee of management, and lodge copies of such documents in the Industrial Registry. Having in mind the time-scales allowed by the Act to complete each of these steps, lodgement of the financial documents specified above would, in the normal course, be expected before now.

Therefore, I request your written advice by **Friday 27 June 2003** as to when each of the following steps is expected to be completed:-

1. preparation of the accounts and statements
2. making of the audit report
3. provision of copies of the financial documents to the members
4. presentation of the financial documents to a meeting of the members or the committee of management *following provision of copies to the members*
5. lodgement of copies of the financial documents in the Industrial Registry under cover of a certificate by you that the documents so lodged are copies of the documents presented to the meeting referred to in 4 above - such certificate specifying the type of meeting and the date when it was held.

If you wish to discuss this letter you may contact me on (03) 8661 7787.

In reply please quote: CL/283V-MACQ/FR2002/456

Yours sincerely


Clency Lapiere
Statutory Services Branch
12 June 2003



NATIONAL TERTIARY

EDUCATION INDUSTRY UNION

MACQUARIE UNIVERSITY BRANCH

Financial Accounts

and

Certificates

for the year ended

30 June 2002

**CERTIFICATE BY PRESIDENT OF THE NTEU - MACQUARIE
UNIVERSITY BRANCH**

(The provisions of section 518(1)(b) of the *Industrial Relations Act 1991* and clause 65 of the *Industrial Relations Regulations 1992* apply as regulations under section 282(3) of the *Industrial Relations Act 1996*).

I, **George Parsons**, Branch President of **National Tertiary Education Industry Union - Macquarie University Branch** hereby certify that the documents lodged herewith are true copies of the accounts, auditor's report and certificates presented to the:

() general meeting of members of the organisation held on

_____ and/or

() the committee of management meeting held on

17 June, 2003 in respect of the
financial year of the organisation ending 30 June 2002.

The documents lodged herewith are:

- (i) copies of the accounts prepared in accordance with the requirements of section 510(1) of the Act and clause 58 of the 1992 Regulation, as applied by section 282(3) of the *Industrial Relations Act 1996* (an account of income and expenditure and an account of assets and liabilities); and
- (ii) a copy of the certificate given by the accounting office of the organisation in accordance with the requirements of section 510(2) of the Act and clause 59(1)(a) of the 1992 Regulation; and
- (iii) a copy of the certificate given by the committee of management in accordance with the requirements of section 510(2) of the Act and clause 59(1)(b) of the 1992 Regulation; and
- (iv) a copy of the report of the auditor of the organisation prepared in accordance with the requirements of section 514 of the Act; and
- (v) a statement by an officer of the organisation in respect of loans, grants or donations by the organisation which are notifiable in accordance with the requirements of section 280 of the 1996 Act.

Signed:

George Parsons
GEORGE PARSONS

Dated:

18 June, 2003.

INDEPENDENT AUDITOR REPORT

(The provisions of section 514 of the *Industrial Relations Act 1991* apply as regulations under section 282(3) of the *Industrial Relations act 1996*).

I report that I have inspected and audited the accounting records of **National Tertiary Education Industry Union - Macquarie University Branch** in relations to the financial year of the organisation ended 30 June 2002 and report that in my opinion satisfactory accounting records were kept by the organisation in relation to the year, including:

- (a) (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 in my opinion the accounts and other statements prepared under section 282 of the *Industrial Relations Act 1996* in relation to the year were properly drawn up so as to give a true and fair view of:
- (b) (i) the financial affairs of the organisation as at the end of the year; and
- (ii) the income and expenditure, and any surplus or deficit, of the organisation for the year; and
- (c) (i) all information, being information which was reasonably wanted for the purpose of this audit, which was required and sought by me or by any person authorised by me for the purpose of the audit, was provided.

I also understand that to the extent that there was any deficiency, failure or shortcoming in relation to the matters referred to above, I must report particulars and that those particulars, if any, which form part of this report, are attached.



Philip Ross BBus, MCom, CPA

SIGNED at Sydney this 16th day of June 2003.

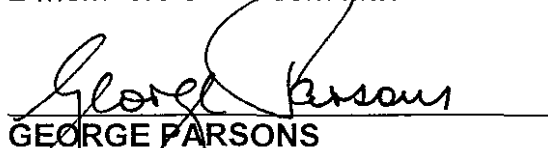
**CERTIFICATE BY COMMITTEE OF MANAGEMENT OF THE NTEU -
Macquarie University Branch**

(The provisions of section 510(2) of the *Industrial Relations Act 1991* and clause 59(1)(b) of the *Industrial Relations Regulation 1992* apply as regulations under section 282(3) of the *Industrial Relations Act 1996*).

We, the undersigned members of the committee of management of **National Tertiary Education Industry Union - Macquarie University Branch** hereby certify in respect of the financial year ended 30 June 2002 that:

- (i) in the opinion of the committee of management the accounts prepared show a true and fair view of the financial affairs of the organisation as at the end of the financial year to which they relate; and
- (ii) in the opinion of the committee of management, during the financial year to which the accounts relate, meetings of the committee of management were, in the opinion of the committee, held in accordance with the rules of the organisation; and
- (iii) to the knowledge of any member of the committee, there have not been, during the financial year to which the accounts relate, instances where records of the organisation or other documents (not being documents containing information made available to a member of the organisation under Section 512(2) of the 1991 Act, as applied by section 282(3) of the *Industrial Relations Act 1996*, or copies of those records or other documents, or copies of the rules of the organisation, have not been furnished, or made available, to members of the organisation in accordance with the Act, this Regulation or the rules of the organisation, as the case by me; and
- (iv) in relation to the report prepared in accordance with section 514 of the Act, as applied by section 282(3) of the *Industrial Relations Act 1996*, by the auditor of this organisation in respect of the financial year immediately preceding the financial to which the accounts relate (ie the second most recently concluded financial year) and in relation to any accounts and statements prepared in accordance with section 510(1) of the Act to which that report relates, the organisation has complied with section 517(1) of the Act and whichever of subsections (5) and (6) of the Act is applicable.

This certificate is in accordance with a resolution passed by the committee of management of the organisation in relation to the matters to be stated in the certificate and is signed on behalf of the committee of management by at least 2 members of the committee.


GEORGE PARSONS

Dated: 16 June 2003.


MARGARET HENNESSY

Dated: 16.06.03

**CERTIFICATE BY THE ACCOUNTING OFFICER OF THE NTEU -
MACQUARIE UNIVERSITY BRANCH**

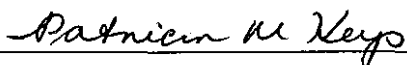
(The provisions of section 510(2) of the *Industrial Relations Act 1991* and clause 59(1)(a) of the *Industrial Relations Regulation 1992* apply as regulations under section 282(3) of the *Industrial Relations Act 1996*).

I, **Patricia Keys**, the accounting officer of the **National Tertiary Education Industry Union - Macquarie University branch**, hereby certify that to the best of my knowledge and belief that:

There were 472 persons that were members of the organisation at the end of the financial year ended 30 June 2002.

and in my opinion,

- (i) the attached accounts show a true and fair view of the financial affairs of the organisation as at the end of the financial year; and
- (ii) a record has been kept of the money paid by, or collected from, members of the organisation, and all money so paid or collected has been credited to the bank account or accounts to which the money is to be credited, in accordance with the rules of the organisation; and
- (iii) before any expenditure was incurred by the organisation, approval of the incurring of the expenditure was obtained in accordance with the rules of the organisation; and
- (iv) no payment was made out of a fund referred to in clause 57(b)(xiii) or (xv) of the Regulation for a purpose other than the purpose for which the fund was operated; and
- (v) all loans or other financial benefits granted to persons holding office in the organisation were authorised in accordance with the rules of the organisation; and
- (vi) the register of members of the organisation was maintained in accordance with the Act.



PATRICIA KEYS

SIGNED at Sydney this 16th day of June 2003

**STATEMENT OF PARTICULARS OF LOANS,
GRANTS AND DONATIONS BY THE ACCOUNTING OFFICER OF
THE NTEU - MACQUARIE UNIVERSITY BRANCH**

(Section 280 of the *Industrial Relations Act 1996* and clause 27 of the *Industrial Relations (General) Regulation 1996*)

I, **Patricia Keys**, Accounting officer of the **National Tertiary Education Union - Macquarie University Branch**, state, in respect of the financial year of the organisation ended 30 June 2002 that **NO** loans, grants or donations for an amount exceeding \$1,000 were made by the organisation during the financial year.

Signed

Patricia M Keys

PATRICIA KEYS

Dated

16/06/03

NTEU - Macquarie University Branch

A.B.N.

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED 30 JUNE 2002

1 STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

This financial report is a special purpose financial report prepared for use by directors and members of the company. The directors have determined that the company is not a reporting entity.

The financial report has been prepared in accordance with the requirements of the following Australian Accounting Standards:

AAS 4 : Depreciation of Non-Current Assets

AAS 5 : Materiality

AAS 8 : Events Occurring after Reporting Date

No other Australian Accounting Standards, Urgent Issues Group Consensus View or other authoritative pronouncements of the Australian Accounting Standards Board have been applied.

The financial report is prepared on an accruals basis and is based on historic costs and does not take into account changing money values or, except where specifically stated, current valuations of non-current assets.

Notwithstanding the deficiency of net assets, the financial statements have been prepared on a going concern basis as the directors have received a guarantee of continued financial support and the directors believe that such financial support will continue to be made available.

The following specific accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of this financial report:

Property, Plant and Equipment

Property, plant and equipment are carried at cost, independent of director's valuation.

All assets, excluding freehold land and buildings are depreciated over their useful lives to the company.

These notes are to be read in conjunction with the attached compilation report.

NTEU – MACQUARIE UNIVERSITY BRANCH

**PROFIT AND LOSS STATEMENT
FOR THE YEAR ENDED 30TH JUNE 2002**

	2002	2001
	\$	\$
INCOME		
Members Subscriptions	257,489.09	227,701.35
Other Income	-	59.00
Resource Grant	-	12,000.00
Miscellaneous Income	<u>992.54</u>	<u>135.86</u>
	258,481.63	239,896.21
EXPENDITURE		
Accounting Fees	-	3,920.00
Auditing Fees	-	2,600.00
Bank Charges	26.60	24.45
Depreciation	-	3,342.00
Government Charges	142.78	313.53
Employment Expenses	51,649.00	62,623.50
Enterprise Bargaining	-	120.00
General Expenses	-	95.90
Interest Paid	-	1.68
Capitation Fees	187,144.91	160,384.25
Office Supplies	216.29	94.18
Postage	65.54	6.85
Stationery & Telephone	762.34	554.22
Staff Training & Welfare	<u>887.00</u>	<u>160.00</u>
	240,894.56	234,240.56
NET PROFIT	<u>17,587.07</u>	<u>5,655.65</u>

NTEU – MACQUARIE UNIVERSITY BRANCH

**PROFIT AND LOSS STATEMENT
FOR THE YEAR ENDED 30TH JUNE 2002**

	2002	2001
	\$	\$
OPERATING PROFIT BEFORE INCOME TAX	<u>17,587.07</u>	<u>5,655.55</u>
Income Tax expense attributable to Operating profit	-	-
OPERATING PROFIT AFTER TAX	<u>17,587.07</u>	<u>5,655.55</u>
Retained profits (Accumulated losses) At the beginning of the financial year	<u>(34,202.44)</u>	<u>(39,858.09)</u>
TOTAL AVAILABLE FOR APPROPRIATION	<u>(16,615.37)</u>	<u>(34,202.42)</u>
RETAINED PROFITS (ACCUMULATED LOSSES) AT THE END OF THE FINANCIAL YEAR	<u>(16,615.37)</u>	<u>(34,202.42)</u>

NTEU – MACQUARIE UNIVERSITY BRANCH

AS AT 30TH JUNE 2002

	NOTE	2002	2001
		\$	\$
CURRENT ASSETS			
Cash		6,372.01	10,771.86
Receivables		10,618.96	15,057.55
TOTAL CURRENT ASSETS		16,990.97	25,829.41
NON-CURRENT ASSETS			
Property, plant & equipment		-	-
TOTAL NON-CURRENT ASSETS		-	-
TOTAL ASSETS		16,990.97	25,829.41
CURRENT LIABILITIES			
Creditors and borrowings		21,206.97	26,428.12
Provisions		12,399.37	31,403.73
Other			2,200.00
TOTAL CURRENT LIABILITIES		33,606.34	60,031.85
NET ASSETS (LIABILITIES)		(16,615.37)	(34,202.44)
EQUITY			
Accumulated Losses		(16,615.37)	(34,202.44)



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Mr. G. Parsons
Branch Secretary
National Tertiary Education Industry Union
Macquarie University Branch
Macquarie Campus
W3A 405
NORTH RYDE 2109

Dear Mr. Parsons,

**Re: Financial statements for year ended 30 June 2002
FR 2002/456**

I refer to the financial statements lodged on 26 June 2003.

1. Accountability to members

The financial reporting requirements set out in Part IX, Division 11 of the Act are designed to ensure that an organisation or a branch of an organisation discharges its obligations under the Act and is accountable to its members. Persons and collective bodies which have control of funds are required to prepare, have audited, circulate to members, present at a meeting and lodge in the Industrial Registry, "accounts and statements" relating to those funds under their control. The role of the Industrial Registry is to promote and, if necessary, secure the compliance of an organisation or branch with respect to the financial reporting requirements. A document setting out the financial reporting timeline of the Act is attached [Attachment "A"].

The fundamental obligations imposed on an organisation or branch in relation to each financial year are:-

1. to keep accounting records in the manner prescribed (s.272);
2. to prepare accounts and statements (including certificates in relation to the accounts by the accounting officer and the committee of management respectively) as soon as practicable after the end of the financial year (s.273);
3. to appoint and cooperate with the auditor who must be a competent person as prescribed and who is obliged to provide within the period prescribed an independent expert opinion on the accounts and statements prepared by the organisation or branch (s.275 and s.276);
4. to provide within the prescribed period and free of charge to its members a copy of the report of the auditor and a copy of the accounts and statements prepared by the organisation or branch (ss.279(1) and (3));
5. to present within the period prescribed (which follows provision of copies to the members of the organisation or branch) the auditor's report, accounts and statements to a general meeting of the members of the organisation or branch or a meeting of the relevant committee of management (ss.279(6) or (7), as the case may be); and

6. to lodge copies of the auditor's report, accounts and statements in the Industrial Registry together with a certificate by the secretary confirming that the documents lodged are copies of the documents presented to a meeting for the purposes of section 279 (ss.280(1)).

In relation to steps 4 and 5, the auditor's report, and the accounts and statements are to be presented to a meeting of members or the committee of management at least one clear week after provision of documents to members and within 12 weeks of the date of the auditor's report (s.279(6)(a)). Members will, therefore, have a reasonable opportunity to examine the auditor's report, accounts and statements before the meeting and raise any questions for consideration at the meeting. If a meeting of members is not due within the aforementioned period ("the relevant meeting"), the documents must be presented to the next committee of management meeting (s.279(6)(b)).

In relation to the requirement that a copy of the auditor's report, accounts and statements be provided to members free of charge, the registry accepts that this obligation may be discharged by providing members with a copy of those documents in an email attachment, provided that all members have an email address.

The documents lodged details the steps taken by the branch to ensure compliance with the requirements of the Act. However, there are some aspects of those requirements that have not been fully complied with by the branch.

2. Late Returns

I have noted that the financial statements of the branch for the year ended 30 June 2002 were lodged outside the time scales prescribed by the Act. You will be aware that there is a requirement to prepare accounts and statements (including certificates in relation to the accounts by the accounting officer and the committee of management) as soon as practicable after the end of the financial year. Please ensure that financial statements for year ended 30 June 2003 are lodged within the abovementioned time scale provisions.

3. References to other Acts

There are a number of references throughout the documents to the *Industrial Relations Act 1991*, *Industrial Relations Regulations 1992* and the *Industrial Relations Act 1996*. It would appear that those references are to legislation in New South Wales. Financial documents lodged in the Industrial Registry should be prepared, audited, supplied to members, presented to a meeting of members or of the committee of management in accordance with Part IX, Division 11 of the *Workplace Relations Act 1996* (Commonwealth).

Would you please bring this matter to the attention of your auditor.

4. Notice does not set out subsection 274(3).

There should be included in the accounts 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 274(1), (2) and (3) - refer subsection 274(4) of the Act.

The notice included with the financial statements appears to set out the provisions of the New South Wales Act and not the Commonwealth Act.

5. Insufficient time before documents presented to meeting

Given that the auditor's report, the accounting officer's certificate and the committee of management certificate are all dated 16 June 2003, it would appear that the committee of management meeting held on 17 June 2003 was not sufficient for the purposes of section 279(6), i.e. a meeting held subsequent to the provision of the financial statements to members. The meeting may have been sufficient for the purposes of regulation 109(2)(a), i.e. a meeting at which the relevant resolution is passed about the matters contained in the committee of management's certificate.

You will note that the above comments are similar to comments I made in my letter of 29 November 2002 in relation to the financial year ended 30 June 2001. No reply has been received from the branch about that letter.

Would you please confirm before **Friday 18 July 2003** that the documents have been supplied to members in accordance with subsections 279(1) and (3), and subsequently presented to a meeting in accordance with subsection 279(6).

New legislation

As you would know the Workplace Relations (Registration and Accountability of Organisations) legislation (the RAO legislation) generally came into operation on 12 May 2003.

The RAO legislation establishes a **Registration and Accountability of Organisations Schedule** (the RAO Schedule) inserted as schedule IB within the *Workplace Relations Act 1996* (the WR Act) pertaining to registered organisations. Many of the provisions relating to registered organisations in the WR Act have replicated in the new RAO Schedule, with some amendments. Other matters have been substantially changed by the RAO Schedule, particularly the financial reporting requirements.

Please note that your branch will be required to complete the financial reporting obligations for the financial year ending 30 June 2003 under the previous provisions of the WR Act whereas the reporting obligations for the financial year ending 30 June 2004 will be governed by the requirements of the RAO Schedule. This is because the relevant provisions of the *Workplace Relations Legislation Amendment (Registration of Accountability of Organisations) (Consequential Provisions) 2002 Act* apply to the first complete financial year subsequent to the commencement of the legislation [(see item 44(1))].

Should you wish to discuss this letter, I may be contacted on (03) 8661 7787. Please note that I will be on leave until Monday 7 July 2003.

Yours sincerely,



Clency Lapierre
Statutory Services Branch
27 June 2003