

ELLIOTT, Mark

From: ELLIOTT, Mark
Sent: Tuesday, 16 August 2005 11:40 AM
To: 'nteu'
Subject: RE: Macquarie University Branch NTEU

Mr Andrews,

Per the attached correspondence, receipt of this email is acknowledged. The documents have been filed.

Regards,

Mark Elliot
Statutory Services Branch
Australian Industrial Registry

From: nteu [mailto:nteu@po.mq.edu.au]
Sent: Tuesday, 16 August 2005 10:51 AM
To: mark.elliott@air.gov.au
Subject: Macquarie University Branch NTEU

Dear Mr Elliott

I confirm that the financial accounts, statements and auditor's report , for the year ending 30 June 2004, were presented to a general meeting of the members of the branch held on Wednesday 27 July 2005.

John Andrews
Secretary
MU Branch NTEU



Australian Government
Australian Industrial Registry

Level 36, 80 Collins Street
Melbourne, VIC 3000
GPO Box 1994S, Melbourne, VIC 3001
Telephone: (03) 8661 7777
Fax: (03) 9655 0401
Email: melbourne@air.gov.au

Mr John Andrews
Branch Secretary
National Tertiary Education Industry Union
Macquarie University Branch
C/- Law School
Macquarie University
NORTH RYDE NSW 2113

Dear Mr Andrews

Financial return - National Tertiary Education Industry Union - Macquarie University Branch
Year ending 30 June 2004
FR2004/491

Receipt is acknowledged of your email of even date. That email provides further information concerning the manner in which the Macquarie University Branch of the National Tertiary Education Industry Union has complied with the with the financial reporting obligations contained in Schedule 1B of the Workplace Relations Act 1996.

Particularly, we note your statement that the relevant accounts, statements and auditor's report for the year ended 30 June 2004 were presented to a meeting of the members of the branch on 27 July 2005.

Your email has been appended to the material previously lodged in this matter.

The documents have now been filed.

Regards,

A handwritten signature in black ink, appearing to read 'Mark Elliott', written in a cursive style.

Mark Elliott
Statutory Services Branch
Australian Industrial Registry
16 August 2005

ELLIOTT, Mark

From: nteu [nteu@po.mq.edu.au]
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Mr John Andrews
Branch Secretary
National Tertiary Education Industry Union-Macquarie University Branch
C/- Law School
Macquarie University
NORTH RYDE NSW

Dear Mr Andrews

**Financial Return - National Tertiary Education Industry Union-Macquarie University
Branch
Year ending 30 June, 2004
FR2004/491**

I have received the financial reports of the National Tertiary Education Industry Union-Macquarie University Branch for the year ended 30 June 2004

The documents were lodged in the Industrial Registry on 31 May 2005.

The documents can not be filed due to the following defect which requires your attention.

Certificate of Secretary or other authorised officer

Presentation of financial documents to meeting of members

The Certificate of the Secretary does not state that the financial accounts, statements and the auditor's report were presented to a general meeting of the membership of the Branch following distribution to the members on 10 May 2005.

Given the registered rules of the National Tertiary Education Industry Union, section 266 of Schedule 1B to the Workplace Relations Act 1996 obliges such presentation in respect of your Branch.

Could you please confirm in writing that the documents were presented to a general meeting of the members of the Branch and the date on which that meeting was held

The following matters are raised in connection with the lodged documents for your future assistance. No action is required of the Branch in respect of the material lodged.

Auditor's report

Date of Auditor's report

In this instance the Committee of Management Statement was dated 14 April 2005 whereas the Auditor made his report on 23 March 2005.

Under section 257 of Schedule 1B the opinions required to be formed by the auditor pertain to the general purpose financial report. Given the terms of section 253 of Schedule 1B and the Industrial Registrar's Reporting Guidelines, the general purpose financial report includes, inter alia, the Committee of Management Statement. Hence the Auditor must not make their report before Committee executes its statement.

In future years please ensure that the Committee of Management makes its Statement prior to the Auditor producing his report.

Auditor's opinion

The opinion expressed by the auditor in their report has been drafted in terms of the previous requirements of the Act. Section 257(5) of the RAO Schedule now sets out the matters on which an auditor is required to state an opinion. An example of acceptable wording would be as follows:

"In our opinion the general purpose financial report presents fairly in accordance with applicable Australian Accounting Standards and other mandatory professional reporting requirements in Australia and the requirements of the RAO Schedule"

Operating report

Members' Right to Resign

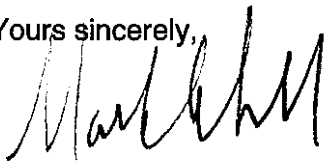
A reporting unit is required to include in its operating report details of the rights of members to resign as members of the reporting unit [RAO s254(2)(c)]. It is our view that this requirement necessitates, as a minimum, the inclusion of a reference to the specific rule in the rules of the reporting unit and/or registered organisation which makes provision for the resignation of members. Of course, if you choose to reproduce the whole of the relevant rule that would clearly satisfy the requirements of that provision.

Membership of committee of management

The operating report is required to contain the name of each person who has been a member of the committee of management of the reporting unit at any time during the reporting period, and the period for which he or she held such a position [RAO reg. 159(c)]. In order to fully comply with the abovementioned regulation an operating report should contain details of membership of the committee at the beginning of the financial year and any changes made to the composition of the committee during the financial year. If there were no such changes, the report should contain a statement such as *"The members of the Branch Committee of Management were, at the beginning of the financial year and at all times during the financial year, ..."*

Should you wish to discuss either this correspondence or the financial reporting requirements of Schedule 1B generally, please contact me by telephone on (03) 8661 7776 or by email to mark.elliott@air.gov.au

Yours sincerely,



Mark Elliott
Statutory Services Branch Australian Industrial Registry

28 June 2005

NTEU – MACQUARIE UNIVERSITY BRANCH

**Annual Report
for the Year Ended 30 June 2004**

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HURLEY & CO

CHARTERED ACCOUNTANT

Level 4 - 83 Mount Street
North Sydney NSW 2060
Post Office Box 1306
North Sydney NSW 2059

Telephone: (02) 9954 3843
Facsimile: (02) 9956 8452
Email: admin@hurleyco.com.au
ABN: 33 374 535 922

AUDITORS REPORT

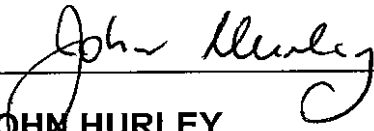
I report that I have inspected and audited the general purpose financial report of **National Tertiary Education Industry Union – Macquarie University Branch** in relation to the financial year of the organisation ended 30 June 2004 and report that in my opinion satisfactory accounting records were kept 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 general purpose financial report presents fairly in accordance with applicable Australian Accounting Standards and other mandatory professional reporting requirements in Australia and the requirements of the RAO Schedule. In my opinion the financial statements are 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.



JOHN HURLEY

Chartered Accountant
Registered Company Auditor Number 15722
Level 4, 83 Mount Street
NORTH SYDNEY NSW 2059

SIGNED at Sydney this 23 day of MARCH 2005

NTEU – MACQUARIE UNIVERSITY BRANCH
Statement of Financial Performance
For the Year ended 30 June 2004

	Note	2004 \$	2003 \$
Revenues from ordinary activities		302,912	282,476
Expenses from ordinary activities, excluding borrowing costs		304,212	266,606
Loss from ordinary activities before income tax		<u>(1,300)</u>	<u>15,870</u>
Income tax relating to ordinary activities		-	-
Loss from ordinary activities after related income tax		(1,300)	15,870
Net loss		<u><u>(1,300)</u></u>	<u><u>15,870</u></u>
Total revenues, expenses and valuation adjustments attributable to members of the company and recognised directly in equity		<u><u>(1,300)</u></u>	<u><u>15,870</u></u>

The accompanying notes form part of these financial statements.

NTEU – MACQUARIE UNIVERSITY BRANCH
Statement of Financial Position
As at 30 June 2004

	Note	2004 \$	2003 \$
CURRENT ASSETS			
Cash	2	34,881	25,397
Receivables	3	577	11,501
TOTAL CURRENT ASSETS		<u>35,458</u>	<u>36,898</u>
NON-CURRENT ASSETS			
Property, plant and equipment	4	5,624	-
TOTAL NON-CURRENT ASSETS		<u>5,624</u>	<u>-</u>
TOTAL ASSETS		<u>41,082</u>	<u>36,898</u>
CURRENT LIABILITIES			
Payables	5	27,152	30,113
Current tax liabilities	6	5,946	3,009
Provisions	7	10,029	4,521
TOTAL CURRENT LIABILITIES		<u>43,127</u>	<u>37,643</u>
TOTAL LIABILITIES		<u>43,127</u>	<u>37,643</u>
NET ASSETS		<u>(2,045)</u>	<u>(745)</u>
EQUITY			
Accumulated losses	8	(2,045)	(745)
TOTAL EQUITY		<u>(2,045)</u>	<u>(745)</u>

The accompanying notes form part of these financial statements.

NTEU – MACQUARIE UNIVERSITY BRANCH**Balance Sheet
As at 30 June 2004**

	2004	2003
	\$	\$
EQUITY		
Accumulated Loss	(2,045)	(745)
Total Equity	<u>(2,045)</u>	<u>(745)</u>
Represented By:		
CURRENT ASSETS		
Cash at Bank	34,881	25,397
Receivables	577	11,501
	<u>35,458</u>	<u>36,898</u>
NON CURRENT ASSETS		
Plant & Equipment	7,030	-
Less Accumulated Depreciation	1,406	-
	<u>5,624</u>	<u>-</u>
	<u>5,624</u>	<u>-</u>
TOTAL ASSETS	<u>41,082</u>	<u>36,898</u>
CURRENT LIABILITIES		
Creditors & Borrowings	26,408	30,113
PAYG Withholding payable	744	-
Provision for Holiday Pay	3,013	2,802
Provision for Long Service Leave	7,016	1,719
Provision for GST	5,946	3,009
	<u>43,127</u>	<u>37,643</u>
TOTAL LIABILITIES	<u>43,127</u>	<u>37,643</u>
EXCESS OF LIABILITIES OVER ASSETS	<u>(2,045)</u>	<u>(745)</u>

The accompanying notes form part of these financial statements.

NTEU – MACQUARIE UNIVERSITY BRANCH
Statement of Cash Flows
For the Year ended 30 June 2004

	2004
	\$
CASH FLOW FROM OPERATING ACTIVITIES	
Receipts from Customers	313,794
Payments to suppliers & employees	(297,322)
Interest received	<u>42</u>
Net cash provided by operating activities	16,514
CASH FLOW FROM INVESTING ACTIVITIES	
Payment for Investments	-
Payment for plant & equipment	<u>(7,030)</u>
Net cash used in investing activities	<u>(7,030)</u>
Net increase in cash held	9,484
Cash at beginning of year	<u>25,397</u>
Cash at end of year	<u><u>34,881</u></u>

For the purposes of the Statement of Cash Flows, cash includes cash on hand, cash at bank and cash investments held with financial institutions. These amounts are shown separately in the accompanying Statement of Financial Position.

The accompanying notes form part of these financial statements.

NTEU – MACQUARIE UNIVERSITY BRANCH
Profit and Loss Statement
For the Year ended 30 June 2004

	2004	2003
	\$	\$
INCOME		
Interest Received	42	-
Membership Subscriptions	302,870	282,476
	302,912	282,476
EXPENDITURE		
Accountancy Fees	3,300	2,200
Bank Charges	190	228
Capitation Fees	228,866	188,188
Depreciation - Plant & Equipment	1,406	-
Employment Expenses	64,257	68,776
Enterprise Bargaining	237	2,344
General Expenses	1,723	3,248
Meeting & Conference expenses	2,437	-
Office Supplies	176	182
Postage	-	68
Stationery & Telephone	1,217	795
Staff Amenities	403	577
	304,212	266,606
OPERATING LOSS BEFORE INCOME TAX	(1,300)	15,870

The accompanying notes form part of these financial statements.

NTEU – MACQUARIE UNIVERSITY BRANCH
Profit and Loss Statement
For the Year ended 30 June 2004

	2004	2003
	\$	\$
OPERATING LOSS BEFORE INCOME TAX	(1,300)	15,870
OPERATING LOSS AFTER INCOME TAX	<u>(1,300)</u>	<u>15,870</u>
Accumulated Losses at the beginning of the financial year	(745)	(16,615)
ACCUMULATED LOSS AT 30 JUNE 2004	<u><u>(2,045)</u></u>	<u><u>(745)</u></u>

The accompanying notes form part of these financial statements.

NTEU – MACQUARIE UNIVERSITY BRANCH
Notes to the Financial Statements
For the Year ended 30th June 2004

1. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

This financial report is a general purpose financial report that has been prepared in accordance with Accounting Standards. Urgent Issues Group Consensus Views, other authoritative pronouncements of the Australian Accounting Standards Board, the Trustees' accountability requirements under the Unions' Rules and the requirements under the Workplace Relations Act 1996.

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

The following specific accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of this report for NTEU – Macquarie University Branch

(a) Property, plant and equipment

Property, plant and equipment are carried at cost, independent or directors' valuation. Excluding freehold land, all assets are depreciated over their useful lives to NTEU – Macquarie University Branch

(b) Provision for employee entitlements

The provision relates to annual leave and long service leave and has been calculated on the basis of actual entitlements under appropriate awards, based on current wage rates.

(c) Income Tax

No income tax has been provided as the Branch is exempt from income tax pursuant to section 50-15 of the Income Tax Assessment Act 1997, as amended.

(d) Information to be provided to members or registrar

In accordance with the requirements of the Workplace Relations Act 1996, as amended, the attention of members is drawn to the provisions of sub-section (1) (2) and (3) of section 272, which reads as follows:

- (1) A member of an organization or a Registrar may apply to the organization for specified prescribed information in relation to the organization.
- (2) An organisation shall, on application made under subsection (1) by members of the organisation or a Registrar, make the specified information available to the member or Registrar in such manner, and within such time prescribed
- (3) A Registrar may only make an application under sub-section (1) at the request of a member of the organisation concern, and the Registrar shall provide to a member information received because of an application made at the request of the members.

NTEU – MACQUARIE UNIVERSITY BRANCH
Notes to the Financial Statements
For the Year ended 30th June 2004

	2004	2003
	\$	\$
2. CASH		
Cash at Bank	34,881	25,397
	<u>34,881</u>	<u>25,397</u>
3. RECEIVABLES		
Current		
Receivables	577	11,501
	<u>577</u>	<u>11,501</u>
4. PROPERTY, PLANT & EQUIPMENT		
Plant & Equipment		
Plant & Equipment	7,030	-
Less Accumulated Depreciation	<u>1,406</u>	<u>-</u>
	5,624	-
5. PAYABLES		
Current		
Creditors & Borrowings	26,408	30,113
PAYG Withholding payable	744	-
	<u>27,152</u>	<u>30,113</u>
6. CURRENT TAX LIABILITIES		
Provision for GST	5,946	3,009
	<u>5,946</u>	<u>3,009</u>

NTEU – MACQUARIE UNIVERSITY BRANCH
Notes to the Financial Statements
For the Year ended 30th June 2004

	2004	2003
	\$	\$
7. PROVISIONS		
Current		
Provision for Holiday Pay	3,013	2,802
Provision for Long Service Leave	7,016	1,719
	10,029	4,521
8. RETAINED PROFITS		
Accumulated losses at the beginning of the financial year	(745)	(16,615)
Add		
Net profit attributable to members of the company	-	15,870
Less		
Net loss attributable to members of the company	1,300	-
Accumulated loss at the end of the financial year	(2,045)	(745)

9. CASH FLOW INFORMATION

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	34,881
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NTEU – MACQUARIE UNIVERSITY BRANCH
Operating Report
For the Year ended 30th June 2004

Principal Activities

The principal activities of the Branch were to provide industrial, professional and managerial services to Members consistent with the objects of the Association and particularly the object of protecting and improving the interests of the members.

Results of principal activities

The principal activities of the Branch resulted in maintaining and improving the wages and conditions of employment of the membership.

Significant Changes in nature of principal activities

There were no significant changes in the nature of the Branch's principal activities during the financial year.

Significant changes in Branch's financial affairs

No matters or circumstances arose during the reporting year which significantly affected the financial affairs of the Branch.

Number of Members

The number of persons who, at the end of the financial year, were recorded on the Register of Members was 562.

Number of Employees

The number of persons who were, at the end of the financial year, employees of the Branch was 1 permanent Part time employee and occasionally 1 casual employee.

Members of Committee of Management

The persons who held office as members of the Committee of Management of the Branch at the beginning of the Financial year were:

Judy Goyen

President

John Andrews

Secretary



Patricia M Keys

Patricia Keys – Accounting Officer

Signed at Sydney this 14th day of April 2005

NTEU – MACQUARIE UNIVERSITY BRANCH
Committee of Management Statement
For the Year ended 30th June 2004

On *14 April 2005* the Committee of Management of NTEU – Macquarie University Branch passed the following resolution in relation to the general purpose financial report (GPFR) of the Branch for the financial year ended 30th June 2004.

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 Registrar;
- (c) the financial statements and notes give a true and fair view of the financial performance, financial position and cash flows of the Branch for the financial year to which they relate;
- (d) there are reasonable grounds to believe that the reporting unit 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 that year;
 - (i) meetings of the committee of management were held in accordance with the rules of the organisation including the rules of a Branch concerned; and
 - (ii) the financial affairs of the Branch have been managed in accordance with the rules of the Branch including the rules of a Branch concerned
 - (iii) the financial records of the Branch have been kept and maintained in accordance with the RAO Schedule and the RAO Regulations.

For Committee of Management: Judy Goyen

Title of Office held: President

Signature:



Signed at Sydney this *14th* day of *April* 2005

NTEU – MACQUARIE UNIVERSITY BRANCH

**CERTIFICATE OF SECRETARY OR OTHER AUTHORISED
OFFICER**

I, *John Busby Andrews*, being the Branch Secretary of the National Tertiary Education Industry Union – Macquarie University Branch (the reporting unit) certify:

- That the documents lodged herewith are copies of the full report referred to in s268 of the RAO Schedule;
- That the full report was provided to members on *10 May* 2005; and
- That the full report was presented to a meeting of the Committee of Management of the reporting unit on *14 April* 2005, in accordance with section 266 of the RAO Schedule.

Signature: *J. Andrews*-----

Date: *14th April* . 2005



Australian Government
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

Ref: FR2004/491 - [283V-MACQ]

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

Dear Ms Hennessy

Financial Return - year ending 30 June 2004

This letter is intended to remind you of your obligations to provide members with copies of your reporting unit's financial reports for year ended 30 June 2004 and to lodge the reports in the Industrial Registry by no later than Friday 14 January 2005.

Over the past 18 months you would have received from us information about the major changes made by Schedule 1B of the *Workplace Relations Act 1996* ('RAO'⁴⁵).

Financial Reports

Your reporting unit must prepare or have prepared the following three reports as soon as practicable after its financial year:

1. A General Purpose Financial Report (GPFR);
2. An Operating Report; and
3. An Auditor's Report.

Informing Your Members

Your reporting unit must provide free of charge to the general membership, copies of the abovementioned reports (the "full report"). Under certain circumstances, your reporting unit can provide a more limited concise report.

The report must be provided within 5 or 6 months from the end of the financial year, depending on the internal arrangements of the reporting unit for the presentation of its financial reports.

A reporting unit may make application to a Registrar to extend the period within which copies of the full report or concise report are to be provided to members by no more than one month.

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 (the *second meeting*). This meeting must be held within 6 months of the end of the financial year. You may make application to a Registrar to extend this time limit by no more than one month so that the time limit for providing to members copies of the full report or concise report may in turn be extended.

⁴⁵ Registration and Accountability of Organisations Schedule (RAO) (Schedule 1B to the *Workplace Relations Act 1996*)

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 and the second meeting 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 your rules contain a provision that allows up to 5% of members to demand a general meeting to be held to consider the full report (see s266(3)), it is permissible to present the full report directly to a Committee of Management meeting. This meeting must be held within 6 months of the end of the financial year.

There is no provision for extending the time-limit for presenting the full report 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.

Your reporting unit's financial reports should, therefore, be lodged by no later than Friday 14 January 2005.

Contact the Registry

We encourage you to contact the Registry on (03) 8661 7787 or by e-mail at clency.lapierre@air.gov.au as early as possible if you have any queries.

If you have already taken steps to ensure that your reporting unit complies with the time scale requirements of RAO, please ignore this letter.

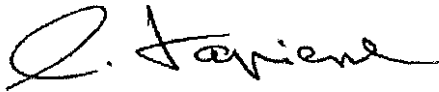
Information on AIRC Website

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

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

Yours sincerely

A handwritten signature in black ink, appearing to read "Q. Tapierre". The signature is written in a cursive style with a large initial "Q" and a long horizontal stroke at the end.

23 November 2004



Australian Government
Australian Industrial Registry

Australian Industrial Registry
Level 35, Nauru House
80 Collins Street
MELBOURNE VIC 3000
Telephone: (03) 8661 7888
Fax: (03) 9654 6672

Ref: FR2004/491-[283V-MACQ]

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

Dear Ms Hennessy

Financial Return - year ending 30 June, 2004

Our records show your 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*.

New legislation

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.

The legislation has changed since your last return. In May 2003 the Industrial Registrar wrote to all organisations forwarding a number of facts sheets outlining the major changes made by Schedule 1B of the Workplace Relations Act 1996 ('RAO'¹). While the immediate changes affected the rules and elections in organisations, the changes affecting financial returns involve a longer lead time.

The key differences under the new legislation affecting financial returns are:

- **a reduced financial reporting cycle (now maximum periods of 5 or 6 months depending on internal arrangements of organisation)**
- **a greater emphasis given to Australian Accounting Standards**
- **the introduction of a new report, known as an Operating Report (broadly similar in concept to a Director's Report under the corporations legislation)**
- **extensions of time are limited to one month**
- **restructured penalty provisions involving more extensive use of Civil Penalties**
- **the introduction of the Industrial Registrar's Reporting Guidelines**
- **organisations and their branches to report according to their financial structures, known as 'reporting units'.**

We recommend you discuss the new requirements with your accountant or auditor.

¹ Registration and Accountability of Organisations Schedule (**RAO**) (Schedule 1B to the *Workplace Relations Act 1996*)

Reporting Unit

One of the new concepts of the RAO legislation is that 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 refer to your organisation as a 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 Timeline/Planner (*Attachment A*) to help you **plan** your financial return and carry out all the necessary steps. We have also attached a Document Checklist (*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 as soon as practicable 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:

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

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); and

Committee of Management Statement as required by the Registrar's Reporting Guidelines (a sample certificate for illustrative purposes is at Attachment C)

2. **Operating Report** - this report includes a review of your reporting unit's 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 and the second meeting 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). When lodging the financial return please quote: **FR2004/491**.

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 and 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.

Reduced Reporting Requirements

If your reporting unit meets certain conditions, some of these reporting requirements can be reduced. Such conditions might be where the annual income of the reporting unit (where the reporting unit is the whole of the organisation) is less than \$100,000, or where the reporting unit has no financial affairs in the financial year, or where the financial affairs of the reporting unit are encompassed by the financial affairs of its counterpart State industrial association.

Contact the Registry


We encourage you to contact the Registry on (03) 8661 7787 or by e-mail at clency.lapierre@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 procedure but we cannot give you legal or accounting advice.

Information on AIRC Website

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

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

Yours sincerely



Deputy Industrial Registrar
9 August, 2004

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.

No	Document	✓
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?	
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?	
	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?	
	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?	
	Does the certificate state that the documents are copies of those provided to members?	
	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).

Committee Of Management Statement

On *[date of meeting]* the Committee of Management of *[name of reporting unit]* passed the following resolution in relation to the general purpose financial report (GPFR) of the reporting unit for the financial year ended *[date]*:

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 Registrar;
- (c) the financial statements and notes give a true and fair view* of the financial performance, financial position and cash flows of the reporting unit for the financial year to which they relate;
- (d) there are reasonable grounds* to believe that the reporting unit 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 that year:
 - (i) meetings of the committee of management were held* in accordance with the rules of the organisation including the rules of a branch concerned; and
 - (ii) the financial affairs of the reporting unit have been* managed in accordance with the rules of the organisation including the rules of a branch concerned; and
 - (iii) the financial records of the reporting unit have been* kept and maintained in accordance with the RAO Schedule and the RAO Regulations; and
 - #(iv) where the organisation consists of 2 or more reporting units, the financial records of the reporting unit have been* kept, as far as practicable, in a consistent manner to each of the other reporting units of the organisation; and
 - #(v) the information sought in any request of a member of the reporting unit or a Registrar duly made under section 272 of the RAO Schedule has been* furnished to the member or Registrar; and
 - #(vi) there has been* compliance with any order for inspection of financial records made by the Commission under section 273 of the RAO Schedule.

For Committee of Management: *[name of designated officer per section 243 of the RAO Schedule]*

Title of Office held:

Signature:

Date:

* Where compliance or full compliance has not been attained - set out details of non compliance instead.

Where not relevant these may be modified accordingly (e.g. in (vi) "No orders have been made by the Commission under section 273 of the RAO Schedule during the period."

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.

Signature

Date:

¹*RAO 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.

²*Only applicable where a concise report is provided to members*

³*Insert whichever is applicable*