



**Australian Government**

**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. W. Warren  
Branch Secretary  
National Tertiary Education Industry Union  
University of Newcastle Branch  
NTEU Office  
Room CT 104  
University of Newcastle  
CALLAGHAN NSW 2308

Dear Mr. Warren,

**Re: Schedule 1B of the Workplace Relations Act 1996 (the RAO Schedule)  
Financial reports for year ended 30 June 2004 - FR 2004/497**

Thank you for forwarding additional documentation in relation to the financial documents of the University of Newcastle Branch of the National Tertiary Education Industry Union for the year ended 30 June 2004; this has been placed with the documents previously lodged.

The documents have now been filed.

Should you wish to discuss this letter or if you require further information on the financial reporting requirements of the Act, I may be contacted on (03) 8661 7993 or by email at [larry.powell@air.gov.au](mailto:larry.powell@air.gov.au).

Yours sincerely,

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

Larry Powell  
Statutory Services Branch

6 July 2005

**From:** NTEU [NTEU@newcastle.edu.au]  
**Sent:** Friday, 1 July 2005 2:39 PM  
**To:** Larry.POWELL@air.gov.au  
**Subject:** NTEU Newcastle Branch Special General Meeting  
30 June 2005

Mr Larry Powell  
Statutory Services Branch  
Australian Industrial Registry

Dear Larry

At a Special General meeting of NTEU - University of Newcastle Branch held at 1pm on 30 June 05, the following motion was passed. Copies of the document financial records for 1/7/03-30/6/04. were made available at the meeting and members were advised that a copy was on the Branch Website at [http://www.nteu.org.au/freestyler/gui/files//Financial Report\\_41b39a00cc58f.pdf](http://www.nteu.org.au/freestyler/gui/files//Financial Report_41b39a00cc58f.pdf)

- (1) *that the NTEU Financial Statement, for 1/7/03-30/6/04 be endorsed.*
  
- (2) *that the meeting endorse the following Branch Committee Resolution,*
  - a. *in the opinion of the Executive, the attached accounts show a true and fair view of the financial affairs of the Branch as at 30 June 2004;*
  - b. *in the opinion of the Executive, meetings of the Executive were held during the year ended 30 June 2004 in accordance with the rules of the Branch;*
  - c. *to the knowledge of any member of the Executive, there has been no instance where records of the organisation or other documents (not being documents containing information made available to a member of the branch under Section 274(2) of the Workplace Relations Act 1996, as amended, or copies of those records or documents, or copies of the rules of the branch,) have not been furnished, or made available, to members in accordance with the requirements of the Workplace Relations Act 1996, as amended, the Regulations thereto, or the rules of the organisation; and*
  - d. *the Branch has complied with the requirements of Division 11 of the Workplace Relations Act 1996, as amended, in relation to the supply of documents to members and presentation to meetings in respect of the year ended 30 June 2002.*
  
- (3) *That this meeting appoint an auditor for the coming year and, subject to his concurrence, Mr Peter Sweeney be appointed as Auditor for 2004-2005*

BILL WARREN  
Branch Secretary

Lynne Turner  
Branch Executive Officer  
NTEU - University of Newcastle Branch  
Ph: 02 49 2 15596  
Fax: 02 49 2 17051  
Email: [NTEU@newcastle.edu.au](mailto:NTEU@newcastle.edu.au)

**From:** NTEU [NTEU@newcastle.edu.au]  
**Sent:** Thursday, 23 June 2005 10:06 AM  
**To:** larry.powell@air.gov.au  
**Subject:** FROM NTEU NEWCASTLE BRANCH  
Hello Larry

Thought I would check with you that the following covers our obligations. Can you let me know and I will send the notice of meeting today.

Dear Members

A Special General meeting of NTEU will be held on

**Thursday 30 June 05**  
**1PM**  
**SRLT3 - Social Sciences Bld - Geography Precinct**

to provide an update on the NTEU Campaign against the job cuts and our strategy at Council and through the Consultative Committees.

The meeting will also be asked to endorse the financial records for 1/7/03-30/6/04. Copies of the document will be available at the meeting or you can access it on the Branch Website at [http://www.nteu.org.au/freestyler/gui/files//Financial Report\\_41b39a00cc58f.pdf](http://www.nteu.org.au/freestyler/gui/files//Financial Report_41b39a00cc58f.pdf)

#### BRANCH COMMITTEE MOTIONS

- (1) *that the NTEU Financial Statement, for 1/7/03-30/6/04 be endorsed.*
- (2) *that the meeting endorse the following Branch Committee Resolution,*
  - a. *in the opinion of the Executive, the attached accounts show a true and fair view of the financial affairs of the Branch as at 30 June 2004;*
  - b. *in the opinion of the Executive, meetings of the Executive were held during the year ended 30 June 2004 in accordance with the rules of the Branch;*
  - c. *to the knowledge of any member of the Executive, there has been no instance where records of the organisation or other documents (not being documents containing information made available to a member of the branch under Section 274(2) of the Workplace Relations Act 1996, as amended, or copies of those records or documents, or copies of the rules of the branch,) have not been furnished, or made available, to members in accordance with the requirements of the Workplace Relations Act 1996, as amended, the Regulations thereto, or the rules of the organisation; and*
  - d. *the Branch has complied with the requirements of Division 11 of the Workplace Relations Act 1996, as amended, in relation to the supply of documents to members and presentation to meetings in respect of the year ended 30 June 2002.*
- (3) *That this meeting appoint an auditor for the coming year and, subject to his concurrence, Mr Peter Sweeney be appointed as Auditor for 2004-2005*

BILL WARREN  
Branch Secretary

Thanks - Lynne

Lynne Turner  
Branch Executive Officer  
NTEU - University of Newcastle Branch  
Ph: 02 49 2 15596  
Fax: 02 49 2 17051  
Email: [NTEU@newcastle.edu.au](mailto:NTEU@newcastle.edu.au)

**From:** NTEU [NTEU@newcastle.edu.au]  
**Sent:** Monday, 6 June 2005 2:32 PM  
**To:** larry.powell@air.gov.au  
**Subject:** NTEU Newcastle Branch Accounts for year ending 30 June 2004  
Dear Larry

Further to our telephone conversation today - 6 July 05 - I wish to advise that arrangements will be made as soon as possible to hold a general meeting of NTEU University of Newcastle Branch to present the financial accounts to the members for comments and questions and to present a motion in relation to the accounts for year ending 30 June 2004, to that meeting.

Yours sincerely

Lynne Turner

Lynne Turner  
Branch Executive Officer  
NTEU - University of Newcastle Branch  
Ph: 02 49 2 15596  
Fax: 02 49 2 17051  
Email: [NTEU@newcastle.edu.au](mailto:NTEU@newcastle.edu.au)



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Mr. W. Warren  
Branch Secretary  
National Tertiary Education Industry Union  
University of Newcastle Branch  
NTEU Office  
Room CT 104  
University of Newcastle  
CALLAGHAN NSW 2308

Dear Mr. Warren,

**Re: Schedule 1B of the Workplace Relations Act 1996 (the RAO Schedule)  
Financial reports for year ended 30 June 2004 - FR 2004/497**

I refer to my letter of 25 February 2005 advising that the financial documents of the University of Newcastle Branch of the National Tertiary Education Industry Union for the year ended 30 June 2004 were not presented to a meeting in accordance with s266 of Schedule 1B of the RAO Schedule. You were advised that such documents were required to be presented to a general meeting of members of the branch.

As a response does not appear to have been received, it is requested that you advise me by Tuesday, 14 June 2005 what stage this matter is now at.

Should you wish to discuss this letter or if you require further information on the financial reporting requirements of the Act, I may be contacted on (03) 8661 7993 or by email at [larry.powell@air.gov.au](mailto:larry.powell@air.gov.au).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'L Powell'.

Larry Powell  
Statutory Services Branch

1 June 2005



**Australian Government**

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Mr. W. Warren  
Branch Secretary  
National Tertiary Education Industry Union  
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NTEU Office  
Room CT 104  
University of Newcastle  
CALLAGHAN NSW 2308

Dear Mr. Warren,

**Re: Schedule 1B of the Workplace Relations Act 1996 (the RAO Schedule)  
Financial reports for year ended 30 June 2004 - FR 2004/497**

Reference is made to the financial documents of the University of Newcastle Branch of the National Tertiary Education Industry Union for the year ended 30 June 2004. The documents were lodged in the Industrial Registry on 15 December 2004.

I direct your attention to the following comments concerning the above reports and the financial reporting obligations under the RAO Schedule. Please note that these matters are generally advised for assistance in the future preparation of financial reports. With the exception of the comments concerning item 1, no further action is required in respect of the subject documents.

**1. Supply of financial documents to members and presentation to meeting**

Financial documents lodged with the Registrar are required by subsection 268(c) to be filed under cover of a certificate by a designated officer, in this case, the Branch Secretary, stating that the documents lodged are copies of the documents provided to members and presented to a meeting in accordance with section 266.

I note that the financial report was provided to members on 8 December 2004 and presented to a meeting of the committee of management of the reporting unit on 3 December 2004.

As you know section 266 of the RAO Schedule makes provision for the methods by which a reporting entity may satisfy its obligation to present the full report to members. The purpose of the financial reporting provisions generally is to ensure disclosure to members and, to offer those members an opportunity to raise any matter that concerns them regarding material disclosed in that information. The vehicle for members to achieve this are either at a general meeting of members or at a meeting of the committee of management. The latter option is only available if the precondition in subsection 266(3), that is the 5% rule, is satisfied. The rules of the organisation do not make such provision.

In these circumstances, the alternatives require the presentation of the relevant documents to a general meeting of members, or at a series of meetings at different locations (this alternative is only available if the rules make provision for such meetings). It should also be noted that the financial reports should be provided to members within certain time periods prior to the meeting - see ss265(5) and 266(1).

**The Registry has advised the Federal Office of the organisation of this gap in the rules and we understand that the matter is being attended to.**

## **2. Operating Report**

### **(a) Principal activity and results of principal activities**

I refer to the Operating Report, in particular to the “principal activity” and the “result of operations”. I note that s254(2)(a) of Schedule 1B requires the operating report to include a review of the reporting entities’ principal activities, the results of those activities and any significant changes in the nature of those activities.

The “principal activity” as listed in the operating report may not fully meet the requirements of s254(2)(a). Such requirement may be satisfied by indicating the objects of the reporting unit e.g. “provide industrial, professional and managerial services to members consistent with the objects of the Union and particularly the object of protecting and improving the interests of the members”.

Also in relation to the “result of operations” I suggest that this requirement contemplates reference in the operating report to results directly related to the principal activities as opposed to the reporting entities financial result, particularly as measured in dollar ‘surplus’ or ‘loss’ terms. Although this may not be stated explicitly in the text of the subsection, I think it is reasonable to infer this is what the legislators had in mind given that the subsection is referring primarily to the principal activities and secondly, the actual financial outcome is elaborated elsewhere in the financial documents, such as the Balance Sheet and/or the Profit and Loss statement.

### **(b) Right of members to resign**

Subsection 254(2)(c) requires the operating report to “give details” of the right of members to resign from the reporting unit under section 174 of the RAO Schedule. The requirement may be met by the inclusion of a statement that a member has the right to resign and a reference to the relevant rule, which makes such provision. Alternatively, the complete text of the relevant resignation rule may be reproduced in the report. It would appear in this case that rule 11 of the organisation’s Rules is applicable.

### **(c) Trustees of superannuation entities**

The report must give details (including details of the position held) of any officer or member of the reporting unit who is:

- (i) a trustee of a superannuation entity or an exempt public sector superannuation scheme; or
- (ii) a director of a company that is a trustee of a superannuation entity or an exempt public sector superannuation scheme; and

where a criterion for the officer or member being the trustee or director is that the officer or member is an officer or member of a registered organisation.

The statement provided in the operating report is not sufficient for the purposes of subsection 254(2)(d) of Schedule 1B.

**(d) 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 - refer regulation 159(c) of the RAO Regulations. The operating report should have provided the positions which members of the committee of management held during the reporting unit.

**3. Committee of Management Statement**

(a) There appears to be no information in the statement addressing Item 17(e)(iv) of the Industrial Registrar's Reporting Guidelines. This item relates to the keeping of financial records in a consistent manner to each of the other reporting units of the organisation.

**(b) Date of resolution**

Item 18 of the Registrar's Reporting Guidelines requires the Committee of Management's statement to specify the date of passage of the resolution made by the Committee. While the statement provides that the appropriate resolution was passed, no date is evident.

**4. Auditor's Report**

Subsection 257(5) of the RAO Schedule now sets out the matters upon which an auditor is required to make an opinion on whether the GPFR is presented fairly in accordance with applicable Australian Accounting Standards and other requirements of the RAO Schedule. The following wording would satisfy the requirements:

*"In our opinion the general purpose financial report is presented fairly in accordance with applicable Australian Accounting Standards and the requirements imposed by Part 3 of Chapter 8 of Schedule 1B of the Workplace Relations Act 1996."*

**5. Notice to members**

I note that the notice to members provides the provisions of section 274 of the Workplace Relations Act 1996. The accounts should set out the provisions of subsections 272(1), (2) and (3) of the RAO Schedule. Would you please ensure those subsections are copied into the GPFR in the next financial report of the Branch.

**Outstanding Information**

Reference is made to our letter of 12 January 2004 requesting lodgement of the accounting officer's certificate concerning the branch's financial documents for the year ended 30 June 2003 which were lodged in this office on 20 October 2003.



As a response does not appear to have been received, it is requested that the information required be forwarded to this office as soon as practicable, please.

Should you wish to discuss this letter or if you require further information on the financial reporting requirements of the Act, I may be contacted on (03) 8661 7993 or by email at [larry.powell@air.gov.au](mailto:larry.powell@air.gov.au).

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'L. Powell'.

Larry Powell  
Statutory Services Branch

25 February 2005

**NATIONAL TERTIARY EDUCATION UNION  
UNIVERSITY OF NEWCASTLE BRANCH**

**FINANCIAL REPORT FOR THE  
YEAR ENDED 30 JUNE 2004**

**NATIONAL TERTIARY EDUCATION UNION  
UNIVERSITY OF NEWCASTLE BRANCH**

**OPERATING REPORT  
FOR THE YEAR ENDED 30 JUNE 2004**

The Committee of Management present their report on the activities of the Branch for the year ended 30 June 2004.

**COMMITTEE OF MANAGEMENT – MEMBERSHIP**

The members of the Committee of Management during the year were:

<u>Name</u>	<u>Period of Membership</u>
Wayne Reynolds	All Committee of
Anita Berghout	Management - 30 June 2003 -
Justine Atkinson	30 June 2004
Bill Warren	
Fran Baker	
Rosalie Bunn	
Denise Emmerson	
Ray Fairall	
Rod Noble	
Jo Perry	

**PRINCIPAL ACTIVITY**

The principal activity of the entity was the operation of the branch of the Union. There was no change in that activity from the previous financial year.

**RESULT OF OPERATIONS**

The branch incurred an operating deficit of \$2,485 for the year.



## SIGNIFICANT CHANGES

There have been no significant changes in the operations of the branch since the end of the last financial year.

## MEMBERSHIP

The total membership of the Branch as at 30 June 2004 was five hundred and fifty two (552).

## RIGHT OF MEMBERS TO RESIGN

A member may resign from membership of the Union by written notice addressed and delivered to the Executive Officer of the Branch.

## EMPLOYEES

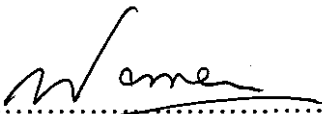
The Branch employs two persons on a part-time basis.

## SUPERANNUATION TRUSTEE

The Branch makes compulsory contributions on behalf of its employees to the Union's Superannuation fund (trustee is BT Employer Superannuation Fund) for one employee and to the ATO Superannuation Holding Account Reserve for the second employee.

Signed in accordance with the resolution of the Committee of Management.

3 December 2004

  
.....  
Secretary.

**AUDITORS REPORT TO MEMBERS OF  
NATIONAL TERTIARY EDUCATION UNION  
UNIVERSITY OF NEWCASTLE BRANCH**

I have audited the attached financial report of National Tertiary Education Union – University of Newcastle Branch for the year ended 30 June 2004. The Committee of management of the organisation is responsible for the preparation and presentation of the financial report and the information contained therein. I have conducted an independent audit of the financial report in order to express an opinion on it to the members of the organisation.

My audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance as to whether the financial report is free of material misstatement. My procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects, the financial report is presented fairly in accordance with Australian Accounting Standards and the Workplace Relations Act 1996 so as to present a view of the organisation which is consistent with my understanding of its financial position, the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis.

**Audit Opinion**

In my opinion:

a) satisfactory accounting records have been kept by the organisation so far as appears from my examination of these books, including:  
records of the sources and nature of the income of the organisation (including income from members); and  
records of the nature and purposes of the expenditure of the organisation;  
the financial report and statements prepared pursuant to Schedule 1B of the Workplace Relations Act 1996 have been properly drawn up so as to give a true and fair view of:  
the financial affairs of the organisation as at 30 June 2004; and  
the income and expenditure and any surplus or deficit of the organisation for the year; and  
the Financial Statements and Notes have been prepared in accordance with applicable Australian Accounting Standards.  
The Financial Statements and Notes comply with the reporting guideline of the Industrial Registrar.

Where necessary I have obtained all the information and explanations, from officers or employees of the organisation, which to the best of my knowledge and belief, were necessary for the purposes of my audit.

26 November 2004  
New Lambton

**Peter J Sweeney**  
**Chartered Accountant**  
**Registered Company Auditor**  
**ASIC Number 3968**

**NATIONAL TERTIARY EDUCATION UNION  
UNIVERSITY OF NEWCASTLE BRANCH**

**BALANCE SHEET  
AS AT 30 JUNE 2004**

	Note	2004 \$	2003 \$
<b>CURRENT ASSETS</b>			
Cash on Hand		8	24
Cash on Deposit	2	68,795	69,726
<b>TOTAL CURRENT ASSETS</b>		<u>68,803</u>	<u>69,750</u>
<b>NON-CURRENT ASSETS</b>			
Plant and Equipment	3	<u>0</u>	<u>0</u>
<b>TOTAL NON-CURRENT ASSETS</b>		<u>0</u>	<u>0</u>
<b>TOTAL ASSETS</b>		<u>\$68,803</u>	<u>\$69,750</u>
<b>CURRENT LIABILITIES</b>			
Creditors and Borrowings	4	0	3,872
Provisions	5	47,994	42,584
<b>TOTAL CURRENT LIABILITIES</b>		<u>47,994</u>	<u>46,456</u>
<b>TOTAL LIABILITIES</b>		<u>\$47,994</u>	<u>\$46,456</u>
<b>NET ASSETS</b>		<u>\$20,809</u>	<u>\$23,294</u>
<b>ACCUMULATED FUNDS</b>	6	<u>\$20,809</u>	<u>\$23,294</u>

To be read in conjunction with the accompanying Notes.**NATIONAL TERTIARY EDUCATION  
UNION  
UNIVERSITY OF NEWCASTLE BRANCH**

**PROFIT AND LOSS STATEMENT  
FOR THE YEAR ENDED 30 JUNE 2004**

	<b>2004</b>	<b>2003</b>
	<b>\$</b>	<b>\$</b>
<b>INCOME</b>		
Membership Subscriptions	320,732	293,726
Interest Received	2,046	1,979
E B Administration Grant	6,500	0
Recruitment Reimbursement	3,606	0
Sundry Revenue	1,425	3,812
<b>TOTAL INCOME</b>	<u>334,309</u>	<u>299,517</u>
<b>EXPENDITURE</b>		
Affiliation fees NTHC	651	651
Audit Fees	1,360	1,300
Bank Charges	58	54
Capitation – NTEU NSW Division	126,644	118,007
Capitation – NTEU National	118,176	105,609
Depreciation	0	106
Donations	100	150
Functions	490	757
Honoraria	1,000	1,000
Insurance	1,332	902
Office Software and Equipment	3,301	4,408
Photocopier/fax maintenance	494	332
Photocopier Rental	2,489	2,094
Petty Cash Expenses	201	289
Payroll Tax	3,711	3,623
Salaries - Staff	53,279	52,351
Stationery/Office Consumables	1,038	894
Sundry expenses	863	1,075
Superannuation - Staff	8,502	8,035
Telephone	3,499	2,137
Training and Development	0	200
Travel expenses	4,196	345
Provision for Annual Leave	-447	-1,783
Provision for Long Service Leave	2,304	11,237
Provision for Sick Leave	3,553	3,302
<b>TOTAL EXPENSES</b>	<u>336,794</u>	<u>317,075</u>
Operating deficit	<u>(\$2,485)</u>	<u>(17,558)</u>

To be read in conjunction with the accompanying Notes.  
**NATIONAL TERTIARY EDUCATION UNION**  
**UNIVERSITY OF NEWCASTLE BRANCH**

**STATEMENT OF CASH FLOWS**  
**FOR THE YEAR ENDED 30 JUNE 2004**

	Note	2004 \$	2003 \$
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
Receipts from Members		320,732	293,726
E B Administration Grant		6,500	0
Other Receipts		5,031	3,812
Payments to NTEU State & National		(244,820)	(223,616)
Payments to suppliers and employees		(86,564)	(80,597)
Interest Received		2,046	1,979
Net Cash Provided by (used in) Operating Activities	8	\$2,925	\$(4,696)
Cash at beginning of year		<u>65,878</u>	<u>70,574</u>
<b>CASH AT END OF YEAR</b>		<u>\$68,803</u>	<u>\$65,878</u>
<b>CASH AT END OF YEAR COMPRISES</b>			
Cash on Hand		8	24
Deposit Accounts		<u>68,795</u>	<u>69,726</u>
		68,803	69,750
Less Operating Account overdrawn		<u>0</u>	<u>-3,872</u>
<b>BALANCE AT END OF YEAR</b>		<u>\$68,803</u>	<u>\$65,878</u>

To be read in conjunction with the accompanying Notes

**NATIONAL TERTIARY EDUCATION UNION  
UNIVERSITY OF NEWCASTLE BRANCH**

**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS FOR  
THE YEAR ENDED 30 JUNE 2004**

**NOTE 1 – STATEMENT OF ACCOUNTING POLICIES**

This general purpose financial report has been prepared in accordance with Applicable Accounting Standards and Urgent Issues Group Consensus views. The accounting policies have been applied consistently.

**BASIS OF ACCOUNTING**

The financial statements have been prepared on the basis of historical cost and do not take into account changing money values or current valuations of non-current assets.

**REVENUE RECOGNITION**

Membership subscriptions, interest and other revenue is recognised on receipt.

**PLANT AND EQUIPMENT**

Plant and equipment is recorded at cost. Depreciation is charged on a straight-line basis to write the assets off over their estimated useful lives.

**EMPLOYEE ENTITLEMENTS**

Liabilities for Salaries, Annual Leave and Sick Leave are recognised and are measured as the amount unpaid at the reporting date at current pay rates in respect of service up to that date.

The Long Service Leave liability is measured as the cost value of the liability as at the Balance Date. This value is considered to materially represent the present value of the liability.

**INCOME TAX**

No liability for income tax exists because Trade Unions are exempt from income tax pursuant to section 50-15 of the Income Tax Assessment Act 1997.

**ROUNDING OF AMOUNTS IN ACCOUNTS**

The amounts disclosed in the financial statements have been rounded to whole dollars.



**NATIONAL TERTIARY EDUCATION UNION  
UNIVERSITY OF NEWCASTLE BRANCH**

**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS FOR  
THE YEAR ENDED 30 JUNE 2004**

	2004	2003
	\$	\$
<b>NOTE 2 – CASH ON DEPOSIT</b>		
Unicom Credit Union		
S.1 Savings Account	56	56
S.2 Operating Account	2,861	0
S.10 Redifund	13,702	19,471
I.1 Term Deposit – Employee Entitlements.3	13,387	12,874
I.2 Equipment Reserve	3,328	3,267
I.4 Term Deposit – Employee Entitlements.1	17,293	16,610
I.6 Term Deposit – Employee Entitlements.2	18,168	17,448
	<u>\$68,795</u>	<u>\$69,726</u>
<b>NOTE 3 – PLANT AND EQUIPMENT</b>		
At Cost	6,508	6,508
Less Accumulated Depreciation	6,508	6,508
	<u>\$0</u>	<u>\$0</u>
<b>NOTE 4 – CREDITORS AND BORROWINGS</b>		
Unicom Credit Union -		
S.2 Operating Account Overdrawn	0	3,872
	<u>\$0</u>	<u>\$3,872</u>
<b>NOTE 5 – PROVISIONS - CURRENT</b>		
Employee Entitlements		
Annual Leave	881	1,328
Sick Leave	14,975	11,422
Long Service Leave	32,138	29,834
	<u>\$47,994</u>	<u>\$42,584</u>
<b>NOTE 6 – ACCUMULATED FUNDS</b>		
Balance 1 July 2003	23,294	40,852
Less Deficit for the year	-2,485	-17,558
Balance 30 June 2004	<u>\$20,809</u>	<u>\$23,294</u>
<b>NOTE 7 – AUDIT FEES</b>		
Fees in respect of audit	\$1,360	\$1,300
Fees in respect of other services	\$0	\$0

**NATIONAL TERTIARY EDUCATION UNION  
UNIVERSITY OF NEWCASTLE BRANCH**

**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS FOR THE  
YEAR ENDED 30 JUNE 2004**

**NOTE 8 – CASH FLOW INFORMATION**

Reconciliation of Cash Flow from Operating Activities with Operating Deficit

	<b>2004</b>	<b>2003</b>
	<b>\$</b>	<b>\$</b>
Operating Deficit	(2,485)	(17,558)
Non-cash flows in deficit		
Depreciation	0	106
Changes in Provisions – Employee Entitlements	<u>5,410</u>	<u>12,756</u>
Cash Flows from Operations	<u>\$2,925</u>	<u>\$(4,696)</u>

**NOTE 9 - INFORMATION AVAILABLE TO MEMBERS**

Pursuant to Subsection 272(5) of the RAO Schedule of the Workplace Relations Act 1996, Members are advised that:

A member of an organisation, or a Registrar, may apply to the organisation for specified prescribed information in relation to the organisation.

An organisation shall, on application made under subsection (1) by a member of the organisation or a Registrar, make the specified information available to the member or Registrar in such manner and within such time, as is prescribed.

A Registrar may only make an application under subsection (1) at the request of a member of the organisation concerned, and the Registrar shall provide to a member information received because of an application made at the request of the member.

**NATIONAL TERTIARY EDUCATION UNION  
UNIVERSITY OF NEWCASTLE BRANCH**

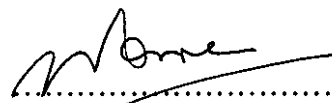
**COMMITTEE OF MANAGEMENT STATEMENT**

In the opinion of the Committed of Management in relation to the General Purpose Financial Report:-

the financial statements and notes comply with Australian Accounting Standards;  
the financial statements and notes comply with the reporting guidelines of the Industrial Registrar for purposes of sections 253 and 270 of the RAO Schedule;  
the financial statements and notes give a true and fair view of the financial performance and financial position of the reporting unit for the financial year which they relate;  
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; and  
during the financial year to which the General Purpose Financial Report relates and since the end of that year:  
meetings of the committee of management were held in accordance with the rules of the organisation including the rules of a branch concerned; and  
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  
the financial records of the reporting unit have been kept and maintained in accordance with the RAO Schedule and the RAO Regulations; and  
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  
there has been compliance with any order for inspection of financial records made by the Commission under section 273 of the RAO Schedule.

Signed in accordance with a resolution of the Committee of Management

At Callaghan this 3 day of December 2004

  
.....  
Secretary

**NATIONAL TERTIARY EDUCATION UNION  
UNIVERSITY OF NEWCASTLE BRANCH**

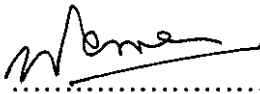
**CERTIFICATE OF SECRETARY OR OTHER AUTHORISED OFFICER  
S268 of Schedule 1B Workplace Relations Act 1996**

I, Bill Warren , being the Secretary of the National Tertiary Education Union – University of Newcastle Branch certify:

that the documents lodged herewith are copies of the full report referred to in s268 of the RAO Schedule; and

that the full report was provided to members on 8 December 2004; and

that the full report was presented to a meeting of the committee of management of the reporting unit on 3 December 2004; in accordance with section 266 of the RAO Schedule.



.....  
Signature

Date: 9 December 2004



**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: FR2004/497 - [283V-NEWC]**

Mr William George Warren  
Branch Secretary  
National Tertiary Education Industry Union-  
University of Newcastle Branch  
NTEU Office  
Room CT 104  
University of Newcastle  
CALLAGHAN NSW 2308

Dear Mr Warren

**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'<sup>67</sup>).

**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.

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<sup>67</sup> 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](mailto: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.

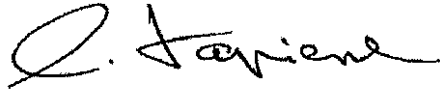
### **Information on AIRC Website**

We recommend you and your accountant/auditor refer to the following documents on the Commission's website at [www.airc.gov.au](http://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. Javien". The signature is written in a cursive style with a large initial "Q" and a long horizontal stroke at the end.

23 November 2004



**Ref: FR2004/497-[283V-NEWC]**

Mr Bob Berghout  
Branch Secretary  
National Tertiary Education Industry Union-University  
of Newcastle Branch  
NTEU Office  
Room CT 104  
University of Newcastle  
CALLAGHAN NSW 2308

Dear Mr Berghout

### **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'<sup>1</sup>). 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.

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<sup>1</sup> 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](http://www.airc.gov.au)). When lodging the financial return please quote: **FR2004/497**.

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](mailto: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](http://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 dark ink, consisting of a horizontal line at the top, a vertical line extending downwards from the center, and a horizontal line extending to the right from the bottom of the vertical line.

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.

<b>No</b>	<b>Document</b>	<b>✓</b>
<b>1</b>	<b>General Purpose Financial Report</b>	
	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?	
<b>2</b>	<b>Committee of Management Statement</b>	
	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?	
<b>3</b>	<b>Auditor's Report</b>	
	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?	
<b>4</b>	<b>Operating Report</b>	
	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?	
<b>5</b>	<b>Concise report*</b>	
<b>6</b>	<b>Certificate of Secretary or other Authorised Officer</b>	
	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 Officer<sup>1</sup>**

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]<sup>2</sup>*, referred to in s268 of the RAO Schedule; and
- that the *[full report **OR** concise report]<sup>3</sup>*, 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]<sup>3</sup>* of the reporting unit on *[insert date]*; in accordance with section 266 of the RAO Schedule.

Signature

Date:

<sup>1</sup>*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.

<sup>2</sup>*Only applicable where a concise report is provided to members*

<sup>3</sup>*Insert whichever is applicable*