



**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

Ms. E. Eddy  
Branch President  
University of Sunshine Coast Branch  
National Tertiary Education Industry Union  
NTEU Office  
C/- Faculty of Business  
University of Sunshine Coast  
Locked Bag 4  
MAROOCHYDORE QLD 4558

Dear Ms. Eddy,

**Re: Schedule 1B of the Workplace Relations Act 1996 (the RAO Schedule)  
Financial reports for year ended 30 June 2004 - FR2004/509**

I have received further information in relation to the financial reports of the University of Sunshine Coast Branch of the National Tertiary Education Industry Union for the year ended 30 June 2004.

In particular, receipt is acknowledged of the 19 September 2005 lodgement of the Operating report directed to the requirements of s254 of the RAO Schedule. That report has been placed with the material previously submitted by the Branch in this matter.

The financial documents have now been filed.

Please do not hesitate to contact me on (03) 8661 7776 if you wish to discuss this letter.

Yours sincerely,

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

Mark Elliott  
Statutory Services Branch  
22 September 2005

**National  
Tertiary  
Education  
Industry  
Union**



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**UNIVERSITY OF THE SUNSHINE COAST  
BRANCH**

Branch President:	Elizabeth Eddy	5430 1269	eeddy@usc.edu.au
Branch Vice President (T&R):	Bishnu Sharma	5430 2854	bsharma@usc.edu.au
Branch Vice President (APT):	Werner Gundlach	5430 1237	wgundlac@usc.edu.au
Branch Secretary:	Peter Brooks	5430 2828	pbrooks@usc.edu.au

Australian Industrial Registry  
GPO Box 1994s  
Melbourne, Vic. 3001  
8 September 2005

**Re Outstanding NTEU-USC Operating Report**

Dear Mr Elliot,

Please find attached the NTEU-USC Operating Report for year ended 30 June 2004, referred to in your letter of 27 June 2005. My apologies that this is so late, and if you have any queries, please contact me on ph. 07-5430-1269.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'E E', written in a cursive style.

Elizabeth Eddy  
NTEU-USC Branch President

## **National Tertiary Education Industry Union: University of the Sunshine Coast Branch**

Operating Report for the year ended 30 June 2004 – S254

### Principle Activities

The **principle activities** of the NTEU-USC during the reporting period were to provide industrial and organising services to the members consistent with the objects of the NTEU-USC and particularly the object of protecting and improving the interests of the members. s254(2)(a)

The NTEU-USC's principle activities **resulted** in maintaining and improving the wages and conditions of employment of the membership, particularly those members in collective enterprise agreements negotiated by the NTEU-USC. s254(2)(a)

There were no **significant changes** in the nature of the NTEU-USC's principle activities during the reporting period. s254(2)(a)

There were no **significant changes** in the NTEU-USC's financial affairs during the reporting period. s254(2)(b)

### Manner of resignation s254(2)(c)

Members have the right to resign, as per *Rule 11. Resignation of Membership*, of the Rules of the National Tertiary Education Industry Union.

### Members of the Committee of Management s254(2)(d)

The persons who held office as members of the Committee of Management of the NTEU-USC during the reporting period are:

- Bron Stevens (Branch President)
- Michael Harker (Vice President: Teaching and Research Staff)
- Werner Gundlach (Vice President: Administrative, Professional and Technical Staff)
- Di Paez (Branch Secretary)
- Elizabeth Eddy (Committee Member)
- Peter Slade (Committee Member)
- Peter Brooks (Committee Member)
- Sue Douglas (Committee Member)
- Keith Cunnington (Committee Member)
- Joanne Scott (Committee Member)

National Tertiary Education Industry Union;  
University of the Sunshine Coast Branch

- Steve Rogal (Committee Member)
- Tara Magdalinski (Committee Member)
- Leon Awee (Committee Member)
- Narayan Gopalkrishnan (Committee Member)

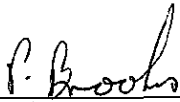
Officers of the NTEU-USC do not hold any of the positions/reserved positions outlined s254(2)d.

Number of members s254(2)(e)

The number of persons who, at the end of the reporting period, were recorded on the register of members of the NTEU-USC was 147.

Number of employees s254(2)(e)

The number of persons who were, at the end of the reporting period, employees of the NTEU-USC was NIL.



Signed Peter Brooks (Branch Secretary)

Date: 8 September 2005



Ms Di Paez  
Branch Secretary  
National Tertiary Education Industry Union-University of Sunshine Coast Branch  
NTEU Office  
C/- Faculty of Business  
University of Sunshine Coast  
Locked Bag 4  
MAROOCHYDORE QLD 4558

Dear Ms Paez

**Financial Return - National Tertiary Education Industry Union - University of Sunshine  
Coast Branch  
Year ending 30 June, 2004  
FR2004/509**

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

The documents were lodged in the Industrial Registry on 19 May 2005.

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

**Failure to lodge an Operating Report**

Your branch did not file an operating report, as required by s254 of Schedule 1B to the  
*Workplace Relations Act 1996*.

Section 254(1) states:

*"As soon as practicable after the end of each financial year, the committee  
of management of a reporting unit must cause an operating report to be  
prepared in relation to the financial year."*

S254(2) states:

*"The operating report must:*

- (a) contain a review of the reporting unit's principal activities during the  
year, the results of those activities and any significant changes in the  
nature of those activities during the year; and*
- (b) give details of any significant changes in the reporting unit's financial  
affairs during the year; and*
- (c) give details of the right of members to resign from the reporting unit  
under section 174; and*
- (d) 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*
- (e) *contain any other information that the reporting unit considers is relevant; and*
- (f) *contain any prescribed information."*

Could you please kindly lodge an operating report at your earliest convenience. I have enclosed, for your information, a copy of a sample operating report.

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

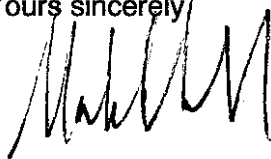
### **Auditor's opinion**

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"*

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](mailto:mark.elliott@air.gov.au)

Yours sincerely



Mark Elliott  
Statutory Services Branch Australian Industrial Registry

27 June 2005

### Secretary's Certificate

I, Di Paez, Branch Secretary of the University of the Sunshine Coast Branch of the National Tertiary Education Industry Union certify that:

1. The auditor's report, the accounts and statements, and the certificates of the accounting officer and of the Branch Committee for the financial year ending 30 June 2004 were:
  - distributed to members free of charge on 5<sup>th</sup> April 2005.
2. The enclosed documents are copies of the auditor's report, the accounts and statements, the certificates of the accounting officer and of the Branch Committee, prepared for the Branch in accordance with the Act for the financial year ending 30 June 2004 and are as presented to a meeting of the **USC** members of the University of the Sunshine Coast Branch on 27 April 2005.

Signed:



**Di Paez,**  
**Branch Secretary,**  
**University of the Sunshine Coast Branch of the NTEU**  
**Date: 16<sup>th</sup> May 2005**

**NATIONAL TERTIARY EDUCATION UNION  
SUNSHINE COAST UNIVERSITY BRANCH**

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

1. Statement of Financial Performance
2. Statement of Financial Position
3. Statement of Cash Flows
4. Notes to and Forming Part of the Financial Accounts
5. Statement by Committee of Management
6. Independent Audit Report



**NATIONAL TERTIARY EDUCATION UNION  
SUNSHINE COAST UNIVERSITY BRANCH**

**STATEMENT OF FINANCIAL PERFORMANCE  
FOR YEAR ENDING 30 JUNE 2004**

	<b>2004</b>	<b>2003</b>
	<b>\$</b>	<b>\$</b>
<b><u>INCOME</u></b>		
Membership Fees	47,248	45,204
Interest Received	<u>62</u>	<u>54</u>
Total Income	47,310	45,258
<b><u>EXPENSES</u></b>		
Administration Fees	79	26
Audit Fees	-	525
Bank Charges	38	30
Capitation Fees	40,361	38,280
Commission	139	133
Conference Costs	3,079	269
Salary – Employee	<u>2,330</u>	<u>1,703</u>
Total Expenditure	<u>46,026</u>	<u>40,966</u>
<b>NET OPERATING PROFIT/(LOSS) FOR YEAR</b>	<b><u>1,284</u></b>	<b><u>4,292</u></b>

**NATIONAL TERTIARY EDUCATION UNION  
SUNSHINE COAST UNIVERSITY BRANCH**

**STATEMENT OF FINANCIAL POSITION  
AS AT 30 JUNE 2004**

	<b>2004</b>	<b>2003</b>
	<b>\$</b>	<b>\$</b>
<b><u>MEMBERS FUNDS</u></b>		
Accumulated Funds – Beginning of year	18,473	14,181
Add Profit (Loss) for Year	<u>1,284</u>	<u>4,292</u>
<b>ACCUMULATED FUNDS YEAR END</b>	<b><u>19,757</u></b>	<b><u>18,473</u></b>
 <b>Represented By:</b>		
<b><u>CURRENT ASSETS</u></b>		
Cash at Bank	23,451	22,387
Fees Receivable	<u>3,568</u>	<u>-</u>
	27,019	22,387
<b>TOTAL ASSETS</b>	<b><u>27,019</u></b>	<b><u>22,387</u></b>
 <b><u>CURRENT LIABILITIES</u></b>		
Sundry Creditors – Capitation fees payable	6,737	3,389
- Other	<u>525</u>	<u>525</u>
<b>TOTAL LIABILITIES</b>	<b><u>7,262</u></b>	<b><u>3,914</u></b>
<b>NET ASSETS</b>	<b><u>19,757</u></b>	<b><u>18,473</u></b>

NATIONAL TERTIARY EDUCATION UNION  
SUNSHINE COAST UNIVERSITY BRANCH

STATEMENT OF CASH FLOWS  
YEAR ENDED 30 JUNE 2004

	2004 \$	2003 \$
<b><u>CASH FLOWS FROM OPERATING ACTIVITIES</u></b>		
Receipts from members & others	47,248	46,623
Interest Received	62	54
Payments to Suppliers & Employees	<u>(46,246)</u>	<u>(40,966)</u>
	1,064	5,711
<b><u>NET INCREASE (DECREASE) OF CASH HELD</u></b>	1,064	5,711
Cash at beginning of Period	<u>22,387</u>	<u>16,676</u>
Cash at end of Period	<u>23,451</u>	<u>22,387</u>

**NATIONAL TERTIARY EDUCATION UNION  
SUNSHINE COAST UNIVERSITY BRANCH**

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

**NOTE 1. STATEMENT OF ACCOUNTING POLICIES**

The accounts have been prepared in accordance with Statements of Accounting Concepts, applicable Accounting Standards and the Australian Workplace Relations Act, 1996. The accounts have been prepared on the basis of historical costs and do not take into account, changing money values or except where stated, current valuations of non current assets. The accounting policies have been consistently applied.

**(a) Income Tax**

No liability exists for income tax as the Association is exempt from income tax under section 50-15 of the Income Tax Assessment Act.

**(b) Depreciation**

The depreciable amount of all fixed assets are depreciated on a straight line basis over the useful lives of the assets to the union.

**(c) Goods and Services Tax**

Business expenses and assets are recognised net of the amount of GST, except where the amount of GST accrued is not recoverable from the Australian Taxation Office.

**NOTE 2. INFORMATION TO BE PROVIDED TO MEMBERS OR REGISTRAR**

In accordance with the requirements of the Workplace Relations Act, 1996, the attention of members is drawn to the provisions of Sub-Sections (1), (2) and (3) of Section 272, which read as follows:

- (1) A member of a reporting unit, or a Registrar, may apply to the reporting unit for specified prescribed information in relation to the reporting unit.
- (2) The application must be in writing and must specify the period within which and the manner in which the information is to be made available. The period must be not less than 14 days after the application is given to the reporting unit.
- (3) A reporting unit must comply with an application made under sub-section (1).

**NATIONAL TERTIARY EDUCATION UNION  
SUNSHINE COAST UNIVERSITY BRANCH**

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

**NOTE 3. RECONCILIATION OF NET CASH PROVIDED BY OPERATING ACTIVITIES  
TO PROFIT FROM ORDINARY ACTIVITIES AFTER INCOME TAX**

	<b>2004</b>	<b>2003</b>
	<b>\$</b>	<b>\$</b>
Net profit (loss) for year	1,284	4,292
<b>Changes in assets &amp; Liabilities</b>		
Fees Receivable	(3,568)	200
Other Liabilities	<u>3,348</u>	<u>1,219</u>
Net cash provided by (used in) Operating activities	<u>1,064</u>	<u>5,711</u>

**NATIONAL TERTIARY EDUCATION UNION  
SUNSHINE COAST UNIVERSITY BRANCH**

**Committee of Management Certificate**

We, being two members of the Executive of the Sunshine Coast University Branch of the National Tertiary Education Union, do state on behalf of the Executive and in accordance with a resolution passed by the Executive, that:

- (A) The Financial Statements and Notes comply with 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; and
- (E) During the financial year ended 30 June 2004 and since the end of that year:
  - (i) Meetings of the committee of management were held in accordance with the rules of the Branch; and
  - (ii) The financial affairs of the reporting unit have been managed in accordance with the rules of the Branch including the rules of a branch concerned; and
  - (iii) The financial records of the reporting unit have been kept and maintained in accordance with schedule 1B of the Workplace Relations Act 1996 and the Regulations; and
  - (iv) The information sought in any request of a member of the reporting unit or a Registrar duly made under section 272 of schedule 1B of the Workplace Relations Act 1996 has been furnished to the member or Registrar; and
  - (v) There has been compliance with any order for inspection of financial records made by the Commission under section 273 of the schedule 1B of the Workplace Relations Act 1996.

*C. Ruddle*  
.....

*D. Paey*  
.....

*1 March* , 2005

**NATIONAL TERTIARY EDUCATION UNION  
SUNSHINE COAST UNIVERSITY BRANCH**

**INDEPENDENT AUDIT REPORT**

To the members of the National Tertiary Education Union

**Scope**

We have audited the financial accounts of the National Tertiary Education Union Sunshine Coast University Branch for the year ended 30 June 2004 as set out on pages 1 to 6. The Union's Committee of Management and Accounting Officer are responsible for the preparation and presentation of the financial accounts and the information they contain. We have conducted an independent audit of these financial accounts in order to express an opinion on them to the members of the Union.

Our audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance as to whether the financial accounts are free of material misstatement. Our procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial accounts, 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 aspects, the financial accounts are presented fairly in accordance with Australian accounting concepts and standards and statutory requirements so as to present a view of the National Tertiary Education Union, Sunshine Coast University Branch, which is consistent with our understanding of its financial position and the results of its operations.

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

**Audit Opinion**

We have received all the information and explanations we required for the purposes of our audit.

In our opinion:

- (i) There were kept by the Union in respect of the year under review, satisfactory accounting records detailing the sources and nature of the income of the Union (including income from members) and the nature and purposes of expenditure; and
- (ii) The attached accounts and statement, including the Certificates of the Committee of Management, are prepared in accordance with Section 253 of the Workplace Relations Act, 1996. The accounts set out on page 1 to 6 have been prepared from the accounting records of the Union and are properly drawn up so as to give a true and fair view of:

NATIONAL TERTIARY EDUCATION UNION  
SUNSHINE COAST UNIVERSITY BRANCH

INDEPENDENT AUDIT REPORT  
(Continued)

- (a) The financial position of the Union as at 30 June, 2004 and;
- (b) The Financial Performance of the Union for the year ended on that date; and

are in accordance with Statements of Accounting Concepts and applicable Accounting Standards.

  
.....  
MORRIS & BATZLOFF  
Chartered Accountants

  
.....  
Norman J Hoare  
Registered Company Auditor

February 25, 2005



## ELLIOTT, Mark

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**From:** ELLIOTT, Mark  
**Sent:** Thursday, 23 December 2004 11:23 AM  
**To:** 'dpaez@usc.edu.au'  
**Subject:** Extension of time granted - RAO Financial reporting requirements - FR2004/509

Please find attached an extension of time for the University of Sunshine Coast Branch of the NTEU for the year ended 30 June 2004.



283v\_scuc\_fr2004\_  
509\_ext\_cert....

Regards,

Mark Elliott  
Statutory Services Branch  
Australian Industrial Registry



**Australian Government**  
**Australian Industrial Registry**

Level 36, Nauru House  
80 Collins Street, Melbourne, VIC 3000  
GPO Box 1994S, Melbourne, VIC 3001  
Telephone: (03) 8661 7777  
Fax: (03) 9655 0401

Ms D. Paez  
Secretary  
University of Sunshine Coast Branch  
National Tertiary Education Industry Union  
University of the Sunshine Coast  
MAROOCHYDORE DC 4558

**Re: Financial reports for year ended 30 June 2004 - FR2004/509  
Extension of time for providing financial report to members**

I have received your application dated 17 December 2004 for an extension of time to provide the members of your branch with a copy of the financial reports for year ended 30 June 2004.

Pursuant to subsection 265(5) of Schedule 1B of the Workplace Relations Act 1996 (the RAO Schedule) I hereby grant the organisation an extension of time until 31 December 2004 (being the latest date allowable under subsection 265(5)) in which to provide a copy of such financial report to the members of University of Sunshine Coast Branch of the National Tertiary Education Industry Union.

Yours sincerely

A handwritten signature in dark ink, appearing to be 'Terry Nassios', written over a faint, illegible stamp.

Terry Nassios  
Deputy Industrial Registrar  
Principal Registry  
23 December 2004

17 th December 2004

Mr T Nassios  
Deputy Industrial Registrar  
Australian Industrial Registry  
PO Box 1994 S  
Melbourne Victoria 3001

Dear Mr Nassios,

Application for extension of time under s265(5) of Schedule 1B of Workplace Relations Act 1996.

The University of the Sunshine Coast Branch of the National Tertiary Education Union (NTEU) hereby requests an extension of time for providing copies of the Branch's financial reports for the years ended 2004.

The grounds for making this application is that having regard to the proposed date for the completion of the Auditors Reports in December this year, it will not be possible to provide such reports to members within the five month period as required under s265 (5) (b). It is expected such reports will be provided to members in hard copy form in January of 2005.

Should you have any further enquiries in relation to this application please contact Di Paez via email at [dpaez@usc.edu.au](mailto:dpaez@usc.edu.au) or by mail at University of the Sunshine Coast, Maroochydore DC. 4558.

Yours sincerely,

Di Paez  
Outgoing Secretary



**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: FR2004/509 - [283V-SCUC]**

Ms Di Paez  
Branch Secretary  
National Tertiary Education Industry Union  
University of Sunshine Coast Branch  
NTEU Office  
C/- Faculty of Business University of Sunshine  
Coast Locked Bag 4  
MAROOCHYDORE QLD 4558

Dear Ms Paez

**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>71</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>71</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.

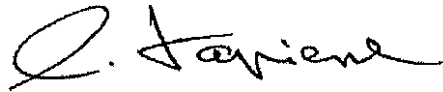
### **Information on AIRC Website**

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. Javiera". The signature is fluid and cursive, with a large initial "Q" and a long, sweeping tail.

23 November 2004



**Ref: FR2004/509-[283V-SCUC]**

Ms Di Paez  
Branch Secretary  
National Tertiary Education Industry Union-University  
of Sunshine Coast Branch  
NTEU Office  
C/- Faculty of Business  
University of Sunshine Coast  
Locked Bag 4  
MAROOCHYDORE QLD 4558

Dear Ms Paez

### **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.

<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: **FR2004/509**.

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

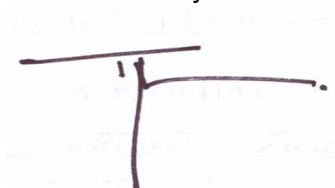
We encourage you to contact the Registry on (03) 8661 7787 or by e-mail at [clency.lapierre@air.gov.au](mailto:clency.lapierre@air.gov.au) as early as possible if you believe preparation or lodgment of your return will be delayed or if you have any queries. We can offer you advice on procedure but we 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



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*