



Fair Work Australia

10 September 2009

Jenny Savage
National Finance Coordinator
National Tertiary Education Industry Union
PO Box 1323
SOUTH MELBOURNE VIC 3205
By email: jsavage@nteu.org.au

cc: Elizabeth Eddy
President
National Tertiary Education Industry Union
University of Sunshine Coast Branch
NTEU Office University of Sunshine Coast
c/- Faculty of Science, Health and Education
University of the Sunshine Coast
Locked Bag 4
MAROOCHYDORE QLD 4558

Dear Ms Savage,

Financial reports of the National Tertiary Education Industry Union – University of Sunshine Coast Branch for financial years ended 30 June 2005, 2006 2007 and 2008 (FR2005/384, 2006/305, 2007/355 and 2008/435)

I acknowledge receipt of the financial reports of the University of Sunshine Coast Branch of the National Tertiary Education Industry Union for the years ended 30 June 2005, 2006, 2007 and 2008. The documents were lodged in this office on 10 July 2009

The financial reports have been filed.

You are not required to take any further action in respect of the reports lodged.

Examination of the financial reports has shown that matters requiring advice have either been corrected or repeated in relation to the Branch's financial report for year ended 30 June 2008. Accordingly, in relation to those matters, except for the following comment in relation to the financial report for the year ended 30 June 2005, I have limited my comments to the report for the year ended 30 June 2008.

I appreciate for the financial year ended 30 June 2009 it is anticipated that, in accordance with the scheme of the organisation's rules, all financial affairs will be administered by the organisation (through its national office) and accounted for accordingly. None the less I draw your attention to the following comments which, in the event the Branch was required to again prepare a financial report, it should take into account to achieve full compliance.

Financial Report – y/e 30 June 2005

As you know the financial reports should be prepared, audited, supplied to members, presented to a meeting and lodged in this office within certain timescale requirements

I note your advice that the financial report was provided to members and presented to a general meeting of members of the Branch. I also note that the Auditor's Report, Operating Report and Committee of Management Statement are dated after the financial report was supplied to members.

Financial documents supplied to members should be dated and signed.

Financial Report – y/e 30 June 2008

1. Timescale Requirements

As you are aware, reporting units are required to undertake their financial reporting obligations in accordance with specified timelines. As the financial reports have been completed, the relevant timelines are incapable of being remedied. However it should be noted that the timelines have not changed under the *Fair Work (Registered Organisations) Act 2009* (RO Act) and the preparation and lodgment of future financial reports must occur within these timelines.

In particular, sections 253 and 254 of the RO Act require that a General Purpose Financial Report (GPFR) and an Operating Report be prepared as soon as practicable after the end of the financial year. Further, section 266 requires that the financial report be presented to a general meeting of members or a committee of management meeting within six months after the end of the financial year. In the absence of an extension of time for holding a general meeting [see section 265(5)] the latest possible date of lodgment with Fair Work Australia is six months and 14 days after the end of the financial year. I have attached a document which sets out the timelines in diagrammatical form.

In future years the financial reports need to be prepared in sufficient time to enable presentation to a meeting within six months after the end of the financial year and lodged with Fair Work Australia no later than 14 days after that meeting.

2. Operating Report

(a) Membership of Committee of Management

The operating report contained a list of office holders as at the end of the financial year. Please note 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 to regulation 159(c) *Fair Work (Registered Organisations) Regulations 2009*.

(b) Dating of Report

I note the operating report is dated 2 June 03. I assume the date should have read 2 June 2009. I have taken the date to read 2 June 2009.

3. References to Schedule 1B and RAO Schedule

The Designated Officer's Certificate and note 5 in the GPFR contain references to either Schedule 1B of the *Workplace Relations Act 1996* or the *RAO Schedule*. Designated Officer's Certificates prepared after 1 July 2009 should refer to the *Fair Work (Registered Organisations) Act 2009*.

If you wish to discuss any matters further, I can be contacted on (03) 8661 7993 or by email at larry.powell@fwa.gov.au.

Yours sincerely



Larry Powell
Tribunal Services and Organisations
Fair Work Australia

Certificate of Secretary or other Authorised Officer

University of the Sunshine Coast Branch

S268 of Schedule 1B Workplace Relations Act 1996

I, Elizabeth Eddy, being President of the University of the Sunshine Coast Branch of the National Tertiary Education Union do certify:

- That the documents lodged herewith are copies of the full reports for the financial years 2004-2005, 2005-2006, 2006-2007, 2007-2008, referred to in s268 of the RAO Schedule; and
- That the full reports for the financial years 2004-2005, 2005-2006, 2006-2007, 2007-2008, were provided to members on 15th June 2009; and
- That the full reports for 2004-2005, 2005-2006, 2006-2007, 2007-2008 were presented to a general meeting of members of the reporting unit on 9th July 2009; in accordance with section 266 of the RAO Schedule.

Signature:



Date:

9 July 2009

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

**FINANCIAL ACCOUNTS FOR THE YEAR ENDED
30 JUNE 2005**

1. Statement of Financial Performance
2. Statement of Financial Position
3. Statement of Cash Flows
4. Statement by Committee of Management
5. Independent Audit Report

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

**STATEMENT OF FINANCIAL PERFORMANCE
FOR YEAR ENDING 30 JUNE 2005**

	2005	2004
	\$	\$
<u>INCOME</u>		
Membership Fees	48,801	47,248
Interest Received	<u>64</u>	<u>62</u>
Total Income	48,865	47,310
<u>EXPENSES</u>		
Administration Fees	887	79
Audit Fees	1,450	-
Bank Charges	41	38
Capitation Fees	41,262	40,361
Commission	-	139
Conference Costs	4,511	3,079
Salary – Employee	<u>-</u>	<u>2,330</u>
Total Expenditure	<u>48,151</u>	<u>46,026</u>
NET OPERATING PROFIT/(LOSS) FOR YEAR	<u>714</u>	<u>1,284</u>

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

**STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2005**

	2005 \$	2004 \$
<u>MEMBERS FUNDS</u>		
Accumulated Funds – Beginning of year	19,757	18,473
Add Profit (Loss) for Year	<u>714</u>	<u>1,284</u>
ACCUMULATED FUNDS YEAR END	<u>20,471</u>	<u>19,757</u>
 Represented By:		
<u>CURRENT ASSETS</u>		
Cash at Bank	26,215	23,451
Fees Receivable	<u>-</u>	<u>3,568</u>
	26,215	27,019
TOTAL ASSETS	<u>26,215</u>	<u>27,019</u>
 <u>CURRENT LIABILITIES</u>		
Sundry Creditors – Capitation fees payable	4,231	6,737
- Other	<u>1,513</u>	<u>525</u>
TOTAL LIABILITIES	<u>5,744</u>	<u>7,262</u>
NET ASSETS	<u>20,471</u>	<u>19,757</u>

NATIONAL TERTIARY EDUCATION UNION
SUNSHINE COAST UNIVERSITY BRANCH

STATEMENT OF CASH FLOWS
YEAR ENDED 30 JUNE 2005

	2005 \$	2004 \$
<u>CASH FLOWS FROM OPERATING ACTIVITIES</u>		
Receipts from members & others	52,369	47,248
Interest Received	64	62
Payments to Suppliers & Employees	<u>(49,669)</u>	<u>(46,246)</u>
	2,764	1,064
<u>NET INCREASE (DECREASE) OF CASH HELD</u>	2,764	1,064
Cash at beginning of Period	<u>23,451</u>	<u>22,387</u>
Cash at end of Period	<u>26,215</u>	<u>23,451</u>

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

**NOTES TO AND FORMING PART OF THE FINANCIAL ACCOUNTS
YEAR ENDED 30 JUNE 2005**

NOTE 1. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

The financial report is a general purpose financial report that has been prepared in accordance with Australian Accounting Standards, other mandatory professional reporting requirements and other authoritative pronouncements of the Australian Accounting Standards Board and the requirements of the Workplace Relations Act 1996.

The financial report covers the National Tertiary Education Union Sunshine Coast University Branch as an individual entity. The National Tertiary Education Union Sunshine Coast University Branch is a union operating in Queensland under the Workplace Relations Act 1996.

The financial report has been prepared on an accruals basis and is based on historical costs and does not take into account changing money values, or except where stated, current valuations of non-current assets. Cost is based on the fair values of the consideration given in exchange for assets.

The following is a summary of the material accounting policies adopted by the company in the preparation of the financial report. The accounting policies have been consistently applied, unless otherwise stated.

(a) Cash

For the purposes of the statement of cash flows, cash includes cash on hand, at banks and on deposit.

(b) Revenue

Revenue from the rendering of a service is recognised upon delivery of the service to the members. Interest revenue is recognised on a proportional basis taking into account the interest rates applicable to the financial asset.

All revenue is stated net of the amount of Goods and Services Tax (GST).

(c) Income Tax

Income of unions is exempt from income tax due to the provisions of Section 50-15 of the Income Tax Assessment Act 1997 (as amended).

(d) Comparative Figures

Where necessary, comparative figures have been adjusted to conform with the changes in the presentation in the current year.

(e) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Tax Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the statement of financial position are shown inclusive of GST.

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

**NOTES TO AND FORMING PART OF THE FINANCIAL ACCOUNTS
YEAR ENDED 30 JUNE 2005**

NOTE 2. CASH FLOW INFORMATION

Reconciliation of Cash

For the purpose of the Statement of Cash Flows, cash includes cash on hand and in banks and investments in money market instruments, net of outstanding bank overdrafts. Cash at the end of the financial year as shown in the statement of cash flows is reconciled to the related items in the balance sheet as follows:

	2005	2004
	\$	\$
Cash at Bank	<u>26,215</u>	<u>23,451</u>
	<u>\$ 26,215</u>	<u>\$ 23,451</u>

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

Net profit (loss) for year	714	1,284
Changes in assets & Liabilities		
Fees Receivable	3,568	(3,568)
Other Liabilities	<u>(1,518)</u>	<u>3,348</u>
Net cash provided by (used in) Operating activities	<u>2,764</u>	<u>1,064</u>

NOTE 4. NOTICE REQUIRED UNDER SECTION 272 OF THE RAO SCHEDULE

In accordance with the requirements of the RAO Schedule, the attention of members is drawn to the provisions of Sub-Section (1), (2) and (3) of Section 272 which reads as follows:

- (a) 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.

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

**NOTES TO AND FORMING PART OF THE FINANCIAL ACCOUNTS
YEAR ENDED 30 JUNE 2005**

**NOTE 4. NOTICE REQUIRED UNDER SECTION 272 OF THE RAO SCHEDULE
(Continued)**

- (b) 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 not be less than 14 days after the application is given to the reporting unit.
- (c) A reporting unit must comply with an application made under subsection (1)

NOTE 5. SEGMENT REPORTING

The entity operates as a Union for tertiary education employees within Queensland.

NOTE 6. UNION DETAILS

The principal place of business of the union is:

National Tertiary Education Union Sunshine Coast University Branch (Union of Employees)

C/- Faculty Arts & Science

University Sunshine Coast

Locked Bag No.4

Maroochydore, Queensland 4558

**NOTE 7. IMPACT OF ADOPTION OF AUSTRALIAN EQUIVALENTS TO
INTERNATIONAL FINANCIAL REPORTING STANDARDS.**

The Executive is preparing and managing transition to Australian equivalents to International Financial Reporting Standards (AIFRSs). The adoption of AIFRSs will be reflected in the Union's financial statements for the year ending 30 June 2006.

The Executive is of the opinion that there are no material differences in the Union's accounting policies on conversion to AIFRSs.

NATIONAL TERTIARY EDUCATION UNION
SUNSHINE COAST UNIVERSITY BRANCH

Committee of Management Certificate

We, being two members of the National Tertiary Education Sunshine Coast University Branch, 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 Branch for the financial year to which they relate;
- (D) There are reasonable grounds to believe that the Branch will be able to pay its debts as and when they become due and payable; and
- (E) During the financial year ended 30th June 2005 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 rules of the Branch have been managed in accordance with the rules of the Branch; and
 - (iii) The financial records of the Branch 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 Branch or a Registrar duly made under section 272 of schedule 1B of the Workplace Relations act 1996 has been to the members of the 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

Dominic Dammann (Branch Secretary).....

.....16-06-09.....
Date:

Elizabeth Edely

16-06-09

EE (Branch president)

NATIONAL TERTIARY EDUCATION INDUSTRY UNION**University of Sunshine Coast Branch****OPERATING REPORT FOR THE YEAR ENDED 30th JUNE 2005****Principal activities**

The principal activities of the Branch during the financial year were:

- To improve and protect the salaries and conditions of employment of our members;
- To represent our members in approaches to and discussions with their employer;
- To negotiate collective agreements which improve the conditions of employment of our members;
- To enforce existing industrial agreements on behalf of our members; and
- To promote industrial peace through conciliation and arbitration

Results of Principal Activities

The Branch's principal activities resulted in the maintenance and improvement of the salaries and conditions of employment of our members, especially for those members covered by collective agreements negotiated by the Branch.

Significant Changes in the Nature of Principal Activities

There were no significant changes in the nature of the Branches principal activities during the financial year.

Significant Changes in the Divisions Financial affairs

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

Trustee or director of a Trustee Company of a Superannuation Entity or an Exempt Public Sector Superannuation Scheme

No officer or member of the Branch was a trustee or Director of a Trustee Company of a Superannuation Entity or an Exempt Public Sector Superannuation Scheme because they are an officer or a member of a registered organisation.

Number of Members

The number of members who, at the end of the financial year, were recorded on the Register of Members was 134.

Number of Employees

There were no staff employed by the Branch during the financial year.

Members of the Current Committee

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

Position	Name
President	Elizabeth Eddy
Secretary	Peter Brooks
Vice-President (Academic)	Bishnu Sharma
Vice-President (General Staff)	Werner Gundlach
Ordinary Committee Member	Paul Corcoran
Ordinary Committee Member	Bronwyn Stevens
Ordinary Committee Member	Ashley Muller
Ordinary Committee Member	Diane Paez

There were no changes to the composition of the Committee of Management during the financial year 1st July 2004 to the 30th June 2005 unless mentioned above.

Manner of Resignation – s254 (2)(c)

Members may resign from the organisation in accordance with Rule 11 (resignation from Membership, which reads as follows

- 11.1 A member may resign from membership by written notice addressed and delivered to the member's Division Secretary or Branch Secretary provided that:
 - (a) Where a written notice of resignation is received by a Division Secretary he or she shall as soon as practicable forward a copy of the notice of resignation to the appropriate Branch Secretary;
 - (b) Where a written notice of resignation is received by a Branch Secretary he or she shall as soon as practicable forward a copy of the notice of resignation to the relevant Division Secretary.

- 11.2 A notice of resignation from membership takes effect:
 - (a) where the member ceases to be eligible to become a member of the Union
 - (i) on the day on which the notice is received by the Union; or
 - (ii) on the day specified in the notice, which is a day not earlier than the day when the member ceases to be eligible to become a member;

whichever is later; or

- (b) in any other case:
 - (i) at the end of two weeks, or if permitted by law three months after the notice is received by the Union; or
 - (ii) on the day specified in the notice;
 whichever is later.


11.3 Any dues payable but not paid by a former member in relation to a period before the member's resignation took effect, may be sued for and recovered in the name of the Union in a court of competent jurisdiction, as a debt due to the Union.

11.4 A notice delivered to a Division Secretary or Branch Secretary shall be taken to have been received by the Union when it was delivered.

11.5 A notice of resignation that has been received by the Union is not invalid because it was not addressed and delivered in accordance with sub-rule 1 of this rule.

11.6 A resignation from membership is valid even if it is not effected in accordance with this rule if the member is informed in writing by or on behalf of the Union that the resignation has been accepted.

11.7.1 Cessation of payment of any dues, levies and other amounts by a member does not, of itself, terminate membership of the Union.

Name Elizabeth Eddy
 Title NTEU-USC Branch President
 Signature 
 Date 16 June 2009

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

INDEPENDENT AUDIT REPORT

To the members of the National Tertiary Education Union Sunshine Coast University Branch

Scope

The Financial Report and the Responsibility of Committee of Management and Division Secretary.

The financial report comprises the statement of financial position, statement of financial performance, statement of cash flows, accompanying notes to the financial statements and the Certificate of Committee of Management for the National Tertiary Education Union Sunshine Coast University Branch, for the year ended 30 June 2005.

The committee of management and branch secretary are responsible for the preparation and true and fair presentation of the financial report in accordance with the Workplace Relations Act 1996. This includes responsibility for the maintenance of adequate accounting records and internal controls that are designed to prevent and detect fraud and error, and for the accounting policies and accounting estimates inherent in the financial report.

Audit Approach

We have conducted an independent audit in order to express an opinion to the members of the Branch. Our Audit was conducted in accordance with Australian Auditing Standards in order to provide reasonable assurance whether the financial report is free of material misstatement. The nature of an audit is influenced by factors such as the use of professional judgement, selective testing, the inherent limitations of internal control, and the availability of persuasive rather than conclusive evidence. Therefore, an audit cannot guarantee that all material misstatements have been detected.

We performed procedures to assess whether in all material respects the financial report presents fairly, in accordance with the Workplace Relations Act 1996, including compliance with Accounting Standards and other mandatory professional reporting requirements in Australia a view which is consistent with our understanding of the Branch's financial position and its performance as represented by the results of its operations and cash flows.

We formed our audit opinion on the basis of these procedures, which included:

- (a) examining, on a test basis, information to provide evidence supporting the amounts and disclosures in the financial report; and
- (b) assessing the appropriateness of the accounting policies and disclosures used and the reasonableness of significant accounting estimates made by the Branch and its secretary.

NATIONAL TERTIARY EDUCATION UNION
SUNSHINE COAST UNIVERSITY BRANCH

INDEPENDENT AUDIT REPORT
(Continued)

While we considered the effectiveness of management's internal controls over financial reporting when determining the nature and extent of our procedures, our audit was not designed to provide assurance on internal controls.

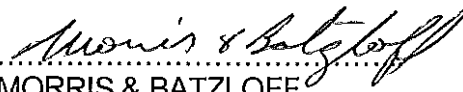
Independence

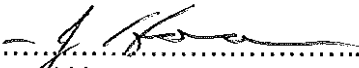
In conducting our audit, we followed applicable independence requirements of Australian professional ethical pronouncements and the Workplace Relations Act 1996.

Audit Opinion

In our opinion the financial report of the National Tertiary Education Union Sunshine University Branch is in accordance with:

- (a) The Workplace Relations Act 1996, including:
- (i) presenting fairly the Branch's financial position as at 30 June 2005 and of its performance for the year ended on that date; and
 - (ii) complying with Australian Accounting Standards; and
 - (iii) complying with any other requirements imposed by the Reporting Guidelines or Part 3 of Chapter 8 of Schedule 1B of the Act; and
- (b) Other mandatory professional reporting requirements in Australia.


.....
MORRIS & BATZLOFF
Chartered Accountants


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Norman J Hoare
Registered Company Auditor
96 Lytton Road, East Brisbane

17/6/09 , 2006