



**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

Mr. T. Dunning  
Secretary  
Tasmanian Division  
National Tertiary Education Industry Union  
NTEU Office - University of Tasmania  
1/6 Grace Street  
SANDY BAY TASMANIA 7005

Dear Mr. Dunning,

**Re: Schedule 1B of the Workplace Relations Act 1996 (the RAO Schedule)  
Financial reports for year ended 30 June 2004 - FR2004/514**

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

In particular, receipt is acknowledged of the 19 April 2005 lodgement of a report made by the Division's auditor which is directed to the requirements of s257 of the RAO Schedule. That report has been placed with the material previously submitted by the Division in this matter.

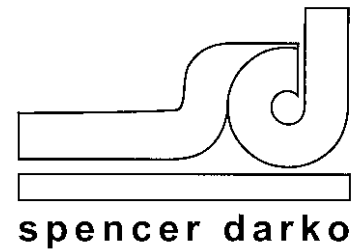
The financial documents have now been filed.

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  
19 April 2005



corporate accountants  
taxation specialists  
audit

**INDEPENDENT AUDIT REPORT TO THE MEMBERS OF THE  
NATIONAL TERTIARY EDUCATION INDUSTRY UNION**

237 main road  
po box 281  
moonah  
7009  
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**Scope**

We have audited the financial report of the National Tertiary Education Industry Union - Tasmanian Division, for the year ended 30th June 2004. The Board of Management is responsible for the financial report. We have conducted an independent audit of the financial report in order to express an opinion on it to the members.

53 main road  
po box 188  
claremont  
7011  
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Our audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance whether the financial report is free of material misstatement. Our 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 whether, in all material respects, the general purpose financial report is presented fairly in accordance with Australian Accounting Standards and other mandatory professional reporting requirements in Australia and the requirements of the RAO Schedule so as to present a view which is consistent with our understanding of the association's financial position and performance as represented by the results of its operations and its cash flows.

28 bayfield street  
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51 duke street  
sandy bay  
7005  
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The audit opinion expressed in this report has been formed on the above basis.



Chartered Accountant

## **Audit Opinion**

In our opinion, the general purpose financial report of the National Tertiary Education Industry Union – Tasmania Division presents a true and fair view in accordance with applicable Accounting Standards and other mandatory professional reporting requirements in Australia and the reporting requirements of the RAO Schedule the financial position of the National Tertiary Education industry Union – Tasmania Division as at 30 June 2004, and the results of its operations and its cash flows for the year ended.

SPENCER DARKO  
CHARTERED ACCOUNTANTS

237 Main Road, Moonah Tas 7009



**Anthony Darko**

DATE: *21st* day of *December* 2004



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**Australian Industrial Registry**

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Mr. T. Dunning  
Secretary  
Tasmanian Division  
National Tertiary Education Industry Union  
NTEU Office - University of Tasmania  
1/6 Grace Street  
SANDY BAY TASMAINA 7005

Dear Mr. Dunning,

**Re: Schedule 1B of the Workplace Relations Act 1996 (the RAO Schedule)  
Financial reports for year ended 30 June 2004 - FR2004/514**

I have received the financial reports of the Tasmanian Division of the National Tertiary Education Industry Union for the year ended 30 June 2004. The documents were lodged in the Industrial Registry on 27 January 2005.

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

**Auditor's Report**

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"*

Would you please request your auditor to provide a report in respect of the financial year ended 2004 which is directed to the requirements of s257 of the RAO Schedule. Once such report has been made would you please lodge a copy in the Industrial Registry.

In addition to the abovementioned matter, I would like to comment on some issues arising out of the reports. I make these comments to assist you when you next prepare financial reports; you do not need to take any further action in respect of the material lodged to date.

**1. General Purpose Financial Report: Notes to Accounts**

*Notice under s272(5)*

The accounts must contain a notice drawing the attention of the members to provisions of Schedule 1B that prescribed information is available to them on request. Subsection 272(5) of Schedule 1B requires the GPFR to set out subsections 272(1), (2) and (3). It appears that in this instance reference has been made to sections of the former legislation. Would you please ensure those subsections are copied into the GPFR in the next financial report of the Division.

**2. Operating report**

*Review of principal activities:*

The report should have contained a review of the reporting unit's principal activities during the financial year, the results of those activities and any significant changes in the nature of the activities. (Emphasis added). The information provided does not sufficiently address the first of these matters.

*Members' Right to Resign - Advice*

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

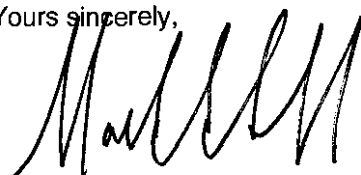
*Membership of committee of management*

The operating report is required to contain the name of each person who has been a member of the committee of management of the reporting unit at any time during the reporting period, and the period for which he or she held such a position [RAO reg. 159(c)].

In order to fully comply with the abovementioned regulation an operating report should contain details of membership of the committee at the beginning of the financial year and any changes made to the composition of the committee during the financial year. If there has been no change in the membership of the Committee during the relevant period, a statement to that effect would be an appropriate addition to the list of committee members.

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.

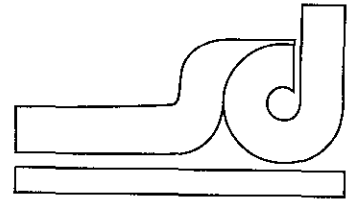
Mark Elliott  
Statutory Services Branch  
14 March 2005

FR2004/514

**NATIONAL TERTIARY EDUCATION INDUSTRY UNION**  
**TASMANIAN DIVISION**

**2004 FINANCIAL REPORT**

## AUDITORS' REPORT



**spencer darko**

corporate accountants  
taxation specialists  
audit

I have inspected and audited the accounting records kept by the National Tertiary Education Industry Union - Tasmanian Division, in respect of the year ended 30th June 2004, and have received all the information and explanations I required for the purposes of my audit.

In my opinion:

- 1) There were kept by the division in respect of the year, satisfactory accounting records detailing the sources and nature of the income of the division (including income from members) and the nature and purposes of expenditure, and
- 2) The attached accounts and statements, prepared under the historical cost convention, and in accordance with section 273 of the Workplace Relations Act 1996, are properly drawn up so as to give a true and fair view of:
  - a) The financial affairs of the division as at 30th June 2004
  - b) The income and expenditure, and deficit of the division for the year ended on that date.
- 3) A satisfactory system of recording the collection during the financial year, of income from members and other income has been maintained; and
- 4) The source and nature of all income received and the nature and purposes of all expenditure made, by the Union during the financial year have been correctly recorded; and
- 5) All information and explanations that were required of Officers of the Union were furnished.

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51 duke street  
sandy bay  
7005

p\_ 6224 2314



Chartered Accountant

- 6) I certify that the above summary is a fair and accurate summary of the report, accounts and statements of the National Tertiary Education Industry Union – Tasmanian Division for the year ended 30 June 2004.

My Auditors' Report dated *17<sup>th</sup>* day of *December* 2004 on the Accounts, did not contain particulars of any deficiency, failure or shortcoming as referred to in the Workplace Relations Act 1966.

*Anthony Darko*  
.....

**Anthony Darko**  
**C.A.**

237 Main Road  
MOONAH TAS 7009

DATE *17<sup>th</sup>* day of *December* 2004



**NATIONAL TERTIARY EDUCATION INDUSTRY UNION  
PROFIT AND LOSS ACCOUNT FOR THE YEAR ENDED 30TH JUNE 2004**

	\$	\$	2003 \$
<b>INCOME</b>			
Interest Received	9,327		8,206
Subscriptions	<u>153,767</u>		<u>154,052</u>
<b>TOTAL INCOME</b>		<b>163,094</b>	<b>162,258</b>
<b>EXPENSES</b>			
Advertising	1,841		1,083
Affiliation Fee - TTLC	1,513		1,570
Audit Fees	2,240		1,020
Bank Fees	121		106
Capitation Fees	65,806		77,038
Computer Expenses	86		968
Donations	600		3,548
Equipment	132		911
Fines	10		-
General Expenses	302		-
Insurance	1,872		1,111
Legal Costs	2,569		-
Printing, Stationery & Office Costs	9,239		10,190
Provision for Annual Leave	194		4,700
Salaries - Industrial Officer	95,851		55,298
Salaries - Other	14,060		3,792
Subscriptions	3,263		3,122
Superannuation	14,891		9,267
Telephone	2,737		2,472
Travel, Accommodation & Meetings	<u>10,775</u>		<u>9,142</u>
<b>TOTAL EXPENSES</b>		<b><u>228,102</u></b>	<b><u>185,338</u></b>
<b>OPERATING LOSS AND EXTRAORDINARY ITEMS</b>		<b>65,008</b>	<b>23,080</b>
Retained Profits at July 1		<u>181,665</u>	<u>204,744</u>
<b>PROFIT AVAILABLE FOR APPROPRIATION</b>		<b><u>116,657</u></b>	<b><u>181,664</u></b>
<b>RETAINED PROFITS</b>		<b><u>116,657</u></b>	<b><u>181,664</u></b>

**NATIONAL TERTIARY EDUCATION INDUSTRY UNION  
BALANCE SHEET AS AT 30TH JUNE 2004**

	\$	\$	2003 \$
<b>CURRENT ASSETS</b>			
<b>Cash</b>			
Bond - Cabcharge	200		200
Connect Current Account	44,702		66,370
Connect Deposit Account	153,386		145,960
Tasmanian Trustees Common Fund	36,945		35,080
GST Receivable	175		214
	<u>          </u>		<u>          </u>
<b>TOTAL CURRENT ASSETS</b>		<b>235,408</b>	<b>247,824</b>
<b>TOTAL ASSETS</b>		<b>235,408</b>	<b>247,824</b>
		<u>          </u>	<u>          </u>
<b>CURRENT LIABILITIES</b>			
<b>Creditors &amp; Borrowings</b>			
GST Payable	868		-
Accrued Expenses	117,689		61,460
	<u>          </u>		<u>          </u>
		<b>118,557</b>	<b>61,460</b>
<b>Provisions</b>			
Provision for Annual Leave	194		4,700
	<u>          </u>		<u>          </u>
<b>TOTAL CURRENT LIABILITIES</b>		<b>118,751</b>	<b>66,160</b>
		<u>          </u>	<u>          </u>
<b>TOTAL LIABILITIES</b>		<b>118,751</b>	<b>66,160</b>
		<u>          </u>	<u>          </u>
<b>NET ASSETS</b>		<b>116,657</b>	<b>181,664</b>
		<u>          </u>	<u>          </u>
<b>ACCUMULATED FUNDS</b>			
Accumulated Profit		<b>116,657</b>	<b>181,664</b>
		<u>          </u>	<u>          </u>

**The accompanying notes form part of these financial accounts**

**NATIONAL TERTIARY EDUCATION INDUSTRY UNION**  
**STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30TH JUNE 2004**

NOTE            \$            \$

**CASH FLOWS FROM OPERATING ACTIVITIES**

Receipts from customers	153,768
Payments to suppliers and employees	(176,379)
Interest received	<u>9,327</u>

NET CASH PROVIDED BY OPERATING ACTIVITIES	1b	<u>(13,284)</u>
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**CASH FLOWS FROM INVESTING ACTIVITIES**

**Proceeds**

GST on acquisitions	2,838
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**Payments**

GST on acquisitions	<u>(2,838)</u>
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NET CASH PROVIDED BY INVESTING ACTIVITIES	-
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**CASH FLOWS FROM FINANCING ACTIVITIES**

**Receipts**

GST Payable	868
GST on supplies	14,586

**Payments**

GST on supplies	<u>(14,586)</u>
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NET CASH PROVIDED BY FINANCING ACTIVITIES	868
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NET INCREASE (DECREASE) IN CASH HELD	(12,416)
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CASH AT THE BEGINNING OF THE YEAR	<u>247,823</u>
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CASH AT THE END OF THE YEAR    1a	<u>235,407</u>
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**NATIONAL TERTIARY EDUCATION INDUSTRY UNION**  
**NOTES TO THE STATEMENT OF CASH FLOWS**

\$    \$

**a. RECONCILIATION OF CASH**

Bond - Cabcharge	200
Connect Current Account	44,702
Connect Deposit Account	153,386
Tasmanian Trustees Common Fund	36,945
GST Receivable	175
	<hr/>
CASH AT THE END OF THE YEAR	235,408

**b. RECONCILIATION OF NET CASH  
PROVIDED BY OPERATING ACTIVITIES**

Operating profit after income tax	(65,008)
Provision for diminution in investments	194
Increase(decrease) in accrued expenses	51,724
Increase(decrease) in other expenses payable	(194)
Increase(decrease) in income tax payable	-
Decrease(increase) in inventories	-
Decrease(increase) in other receivables	-
	<hr/>
NET CASH PROVIDED BY OPERATING ACTIVITIES	(13,284)

**NATIONAL TERTIARY EDUCATION INDUSTRY UNION**  
**TASMANIAN DIVISION**

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

**1. ACCOUNTING METHODS**

The financial report is a general purpose financial report that has been prepared in accordance with Australian Accounting Standards and the Workplace Relations Act 1966. The accounts are prepared under the historical cost convention and in accordance with the Accounting Standards jointly issued by the Australian Professional Accounting Bodies. In particular:

- (a) The accounts have not been adjusted to record either changes in the general purchasing power of the dollar or in the prices of specific assets.
- (b) Depreciation of fixed assets is calculated on the reducing balance method in order to write the assets off over their useful life.
- (c) No provision for income tax is necessary as "Trade Unions" are exempt from income tax under Section 23 (f) of the Income Tax Assessment Act.
- (d) The amounts expected to be paid to employees for their pro-rata entitlements to long service and annual leave are accrued annually at current wage rates.

**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 274, which reads as follows:

- (1) A member of an organisation, or a Registrar, may apply to the organisation for specified prescribed information in relation to the organisation.
- (2) An organisation shall, on application made under Sub-section (1) by a member or 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.
- (3) A Registrar may only make an application under Sub-section (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.

**PENALTY: \$1000**

## OPERATING REPORT

### **Number of Members**

As at 30 June 2004: 371 members

### **Number of Employees:**

As at 30 June 2004, the Tasmanian Division employed 1 full time Industrial Officer, and 1 casual Administration Assistant.

### **Principal Activities:**

During the reporting period the Tasmanian Division successfully completed negotiations, improving wages and conditions for AMC Academics, and continues to negotiate 2 new enterprise agreements with the University of Tasmania (general and academic staff).

### **Significant Changes:**

There have been no significant changes.

### **Right of Member to Resign:**

Members of the Tasmanian Division are fully aware of their right of association, to be or not to be a member of the NTEU.

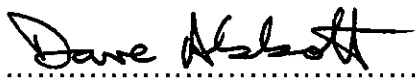
### **Superannuation Trustees:**

The Division does not elect or appoint superannuation trustees.

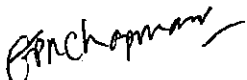
### **Membership of the Committee of Management:**

<b>Position</b>	<b>Name</b>	<b>Address</b>
President	Kelvin Michael	78 Wells Parade, Blackmans Bay
Secretary	Tomas Dunning	8 Campbell Street, Newstead
Vice – President (Academic)	Peter Chapman	36 Gray's Road, Fern Tree
Vice – President (General)	Dave Abbott	54 Smyley Rd, Franklin
Committee Member	Bill Bostock	29 View Street, Sandy Bay
Committee Member	Margaret Lindley	55 Davey Street, South Hobart
Committee Member	Lucy Mills	14 Cook Street, Lutana
Committee Member	Peter Dixon	4 Ramsay Street, Newstead
Committee Member	Greg Hannan	7 Belhavon Court, Newstead
Committee Member	Peter Brooker	329 Strickland Ave, South Hobart
Committee Member	Jim Lade	School of Visual and Performing Arts, University of Tasmania, Launceston 7250

Signed:

  
.....  
DAVE ABBOTT (Acting Secretary)

Signed:

  
.....  
PETER CHAPMAN (Acting President)

DATE:

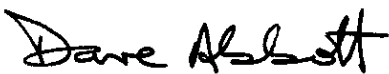
20<sup>th</sup> day of December 2004

## COMMITTEE OF MANAGEMENT STATEMENT

On 21 December 2004 the Committee of Management of the National Tertiary Education Union Tasmanian Division passed the following resolution in relation to the general purpose financial report (GPFR) of the reporting unit for the financial year ended 30 June 2004: that in the opinion of the Committee of Management:

- (1) the financial statements and notes comply with the Australian Accounting Standards;
- (2) the financial statements and notes comply with the reporting guidelines of the Industrial Registrar;
- (3) 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;
- (4) 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;
- (5) during the financial year to which the GPFR relates and since the end of that year:
  - a. meetings of the Committee of Management where held in accordance with the rules of the organisation, and
  - b. the financial affairs of the reporting unit have been managed in accordance with the rules of the organisation, and
  - c. the financial records of the reporting unit have been kept and maintained in accordance with the RAO Schedule and the RAO Regulations, and
  - d. the organisation consists of only one reporting unit;
  - e. no requests have been made by a member of the reporting unit or Registrar under section 272 of the RAO Schedule;
  - f. no orders have been made under the Commission under section 273 or the RAO Schedule during the period.

Signed:

  
.....  
DAVE ABBOTT (Acting Secretary)

DATE: 21st day of December 2004

**Certificate of Secretary**

s268 of Schedule 1B *Workplace Relations Act 1996*

I Dave Abbott being the Acting Secretary of the National Tertiary Education Union Tasmanian Division certify:

- that the documents lodged herewith are copies of the full report provided to members and presented at the second meeting, referred to in s268 of the RAO Schedule; and
- that the full report was provided to members on 22<sup>nd</sup> of December 2004; and
- that the full report was presented to a general meeting of members by the reporting unit on the 20<sup>th</sup> of January 2005; in accordance with section 266 of the RAO Schedule.



Date: 25<sup>th</sup> January, 2005





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

Level 35, Nauru House  
80 Collins Street, Melbourne, VIC 3000  
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Telephone: (03) 8661 7993  
Fax: (03) 9654 6672

Mr. T. Dunning  
Secretary  
National Tertiary Education Industry Union  
Tasmanian Division  
NTEU Office  
University of Tasmania  
1/6 Grace Street  
SANDY BAY TAS 7005

Dear Mr. Dunning,

Schedule 1B - Workplace Relations Act 1996  
Extension of time to present to general meeting of members  
financial report of reporting unit  
(FR 2004/514)

I refer to your letter dated 7 December 2004, in relation to a request for an extension of time to present a copy of the financial report of the Tasmanian Division of the National Tertiary Education Industry Union to a general meeting of its members.

I hereby grant to the reporting unit under subsection 265(5) of Schedule 1B of the Act an extension of time until 31 January 2005 to present to a general meeting of the members of the reporting unit a copy of the financial report prepared for the year ended 30 June 2004.

Yours sincerely,

A handwritten signature in dark ink, appearing to be 'T. Nassios', written over a faint, illegible background.

T. Nassios  
DEPUTY INDUSTRIAL REGISTRAR

8 December 2004



Mr Clency Lapierre  
GPO Box 1994S  
Melbourne  
Victoria 3001

7<sup>th</sup> December, 2004

**RE: FR2004/514 – [283V – TASD]**

Dear Mr Lapierre,

The National Tertiary Education Industry Union Tasmanian Division applies for an extension of one month for financial reporting requirements under the Registration and Accountability of Organisation Schedule to the *Workplace Relations Act* 1996. Due to unforeseen delays with the audit process, the auditors have not yet provided a report to present to members.

It is expected that the Auditors report will be distributed to members during the week ending the 17<sup>th</sup> of December. The General Meeting of members will be held during the week ending 14<sup>th</sup> January. The necessary financial report will be lodged to the AIRC before the end of January 2005.

Thank you for your assistance.

Tom Dunning  
Secretary  
National Tertiary Education Industry Union  
Tasmanian Division



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**Ref: FR2004/514 - [283V-TASD]**

Mr T. Dunning  
Secretary  
National Tertiary Education Industry Union  
Tasmanian Division  
GPO Box 252-101  
HOBART TAS 7001

Dear Mr Dunning

**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>60</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.

---

<sup>60</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.

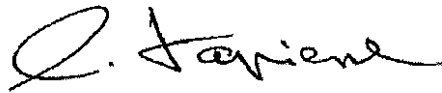
### **Information on AIRC Website**

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. Japient". The signature is written in a cursive style with a large initial "Q" and a long, sweeping underline.

23 November 2004



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

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

**Ref: FR2004/514-[283V-TASD]**

Mr T. Dunning  
Secretary  
National Tertiary Education Industry Union-  
Tasmanian Division  
GPO Box 252-101  
HOBART TAS 7001 7250

Dear Mr Dunning

**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: **FR2004/514**.

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.

No	Document	✓
<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*