



**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 Edith Taylor  
Branch Secretary  
University of Western Sydney Branch  
National Tertiary Education Industry Union  
NTEU Office  
Parramatta Campus  
Locked Bag 1797  
PENRITH SOUTH DC 1797

Dear Ms Taylor,

**Re: Schedule 1B of the Workplace Relations Act 1996 (the RAO Schedule)  
Financial reports for year ended 30 June 2004 - FR2004/519**

I have received the financial reports of the University of Western Sydney Branch of the National Tertiary Education Industry Union for the year ended 30 June 2004. The documents were lodged in the Industrial Registry on 8 April 2005.

The documents have been filed.

Although the documents have been filed 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**

**Committee of Management's Statement**

- *Statement in accordance with resolution of Committee*

The committee of management statement must both be made, and state that it was made, in accordance with a resolution passed by the committee which addresses the matters requiring declaration. In addition, the statement must specify the date of the resolution.

- *Matters requiring declaration*

The Committee of Management's Statement does not contain certain of the requisite declarations.

Under item 17 of the Industrial Registrar's Reporting guidelines, as made under section 255 of the RAO Schedule, the committee of management statement must include declarations as to whether in the opinion of the committee of management:

*"(e) during the financial year to which the GPFR relates and since the end of that year:*

*...*

*(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."*

Future Committee of Management's statements should include all required information. Should there for instance have been no relevant request or order during the period to which the statement relates, it would be acceptable to make a declaration to that effect.

### **Profit and loss statement; Balance sheet**

- *Failure to specify whether employee benefit is related to employee or officer*

In the Profit and loss statement, the items "Salaries & Wages", "Superannuation Contributions" and "Holiday Provision" should be disclosed as having been paid to either "holders of office" or "employees" - refer Reporting guidelines 11(g) and (h).

In the Balance Sheet, the items "Provision for Holiday Pay" and "Superannuation Payable" should be disclosed as liabilities for either "holders of office" or "employees" - refer reporting guidelines 14(c) and (d).

Please ensure that these separate disclosures are made in future financial reports of the organisation. Should no benefits be paid by the Branch to holders of its offices, you might consider including a note to the financial statements to that effect.

### **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). Would you please ensure those subsections are copied into the GPFR in the next financial report of the Branch.

- *Special purpose financial report*

A reporting unit is required by section 253(2) of the RAO Schedule to prepare a general purpose financial report from its financial records. The notes to the financial accounts (the first paragraph of Note 1 refers) indicate that a special purpose financial report was prepared by the branch. I note however that your auditors stated that they "*inspected and audited the general purpose financial report...*".

While in some cases, the contents of a special purpose financial report and a general purpose financial report might not be substantially different, the requirement to prepare a general purpose financial report is quite clear.

## **2. Operating report**

- *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)].

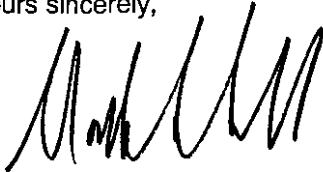
In order to fully comply with the abovementioned regulation an operating report should contain details of membership of the committee at the beginning of the financial year and any changes made to the composition of the committee during the financial year. If there has been no change in the membership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

### 3. Timescale provisions

Financial reports should be prepared, audited, supplied to members, presented to a meeting and lodged in the Industrial Registry within certain timescale requirements. You are reminded that the documents should be presented to a general meeting, or a series of general meetings, of the Branch membership no more than six months after the end of the financial year to which they relate unless an extension of time (of no more than one month) is sought and granted. Further, when considering the timeframes in which the relevant accounts, reports and statement must be prepared it should be remembered that at least 21 days must elapse between distribution of the material to the Branch membership and subsequent presentation to the abovementioned meeting - subsections s266(1), (2) and 265(5) refer. It is noted that in this instance the relevant meeting was originally scheduled for 26 February 2005.

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

**NTEU – UNIVERSITY OF WESTERN SYDNEY BRANCH****CERTIFICATE OF SECRETARY OR OTHER AUTHORISED  
OFFICER**

I, Edith Taylor, being the Branch Secretary of the National Tertiary Education Industry Union – University of Western Sydney Branch (the reporting unit) certify:

- That the documents lodged herewith are copies of the full report referred to in s268 of the RAO Schedule;
- That the full report was provided to members on 05 February 2005; and
- That the full report was presented to a General Meeting of NTEU-UWS members on 31 March 2005, in accordance with section 266 of the RAO Schedule.

Signature:

*Edith Taylor*

Date:

*6<sup>th</sup> April 2005*

COPY FOR  
INDUSTRIAL  
REGISTRAR

**NTEU – UNIVERSITY OF WESTERN SYDNEY BRANCH**  
**Financial Statements**  
**For the Year ended 30th June 2004**

**NTEU – UNIVERSITY OF WESTERN SYDNEY BRANCH**

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

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# HURLEY & CO

CHARTERED ACCOUNTANT

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

## AUDITORS REPORT

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

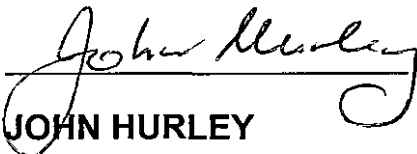
I report that I have inspected and audited the general purpose financial report of **National Tertiary Education Industry Union –University of Western Sydney Branch** in relation to the financial year of the organisation ended 30 June 2004 and report that in my opinion satisfactory accounting records were kept by the organisation in relation to the year, including:

- (a) (i) records of the sources and nature of the income of the organisation (including income from members); and
- (ii) records of the nature and purposes of the expenditure of the organisation; and

in my opinion the general purpose financial report presents fairly in accordance with applicable Australian Accounting Standards and other mandatory professional reporting requirements in Australia and the requirements of the RAO Schedule. In my opinion the financial statmenets are drawn up so as to give a true and fair view of:

- (b) (i) the financial affairs of the organisation as at the end of the year; and
- (ii) the income and expenditure, and any surplus or deficit, of the organisation for the year; and
- (c) (i) all information, being information which was reasonably wanted for the purpose of this audit, which was required and sought by me or by any person authorised by me for the purpose of the audit, was provided.

I also understand that to the extent that there was any deficiency, failure or shortcoming in relation to the matters referred to above, I must report particulars and that those particulars, if any, which form part of this report, are attached.

  
JOHN HURLEY

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

SIGNED at Sydney this *16* day of *February* - 2005



**NTEU – UNIVERSITY OF WESTERN SYDNEY BRANCH**  
**Statement of Financial Performance**  
**For the Year ended 30 June 2004**

|  | Note | 2004<br>\$             | 2003<br>\$           |
|--|------|------------------------|----------------------|
| Revenues from ordinary activities  |      | 454,383                | 436,750              |
| Expenses from ordinary activities, excluding borrowing costs   |      | 469,347                | 420,314              |
| <b>Loss from ordinary activities before income tax</b>   |      | <u>(14,964)</u>        | <u>16,436</u>        |
| Income tax relating to ordinary activities   |      | -                      | -                    |
| Loss from ordinary activities after related income tax   |      | (14,964)               | 16,436               |
| <b>Net loss</b>  |      | <u><u>(14,964)</u></u> | <u><u>16,436</u></u> |
| <br>   |      |                        |                      |
| <b>Total revenues, expenses and valuation adjustments attributable to members of the company and recognised directly in equity</b> |      | <u><u>(14,964)</u></u> | <u><u>16,436</u></u> |

*The accompanying notes form part of these financial statements.*



**NTEU – UNIVERSITY OF WESTERN SYDNEY BRANCH**  
**Statement of Financial Position**  
**As at 30 June 2004**

|                                  | Note | 2004<br>\$    | 2003<br>\$    |
|----------------------------------|------|---------------|---------------|
| <b>CURRENT ASSETS</b>            |      |               |               |
| Cash                             | 2    | 13,438        | 42,753        |
| Receivables                      | 3    | 9,033         | 30,259        |
| <b>TOTAL CURRENT ASSETS</b>      |      | <u>22,471</u> | <u>73,012</u> |
| <b>TOTAL ASSETS</b>              |      | <u>22,471</u> | <u>73,012</u> |
| <b>CURRENT LIABILITIES</b>       |      |               |               |
| Payables                         | 5    | -             | 26,658        |
| Current tax liabilities          | 6    | 4,687         | 5,013         |
| Provisions                       | 7    | (130)         | 8,462         |
| <b>TOTAL CURRENT LIABILITIES</b> |      | <u>4,557</u>  | <u>40,133</u> |
| <b>TOTAL LIABILITIES</b>         |      | <u>4,557</u>  | <u>40,133</u> |
| <b>NET ASSETS</b>                |      | <u>17,914</u> | <u>32,879</u> |
| <b>EQUITY</b>                    |      |               |               |
| Retained profits                 | 8    | 17,914        | 32,879        |
| <b>TOTAL EQUITY</b>              |      | <u>17,914</u> | <u>32,879</u> |

*The accompanying notes form part of these financial statements.*

**NTEU – UNIVERSITY OF WESTERN SYDNEY BRANCH**  
**Balance Sheet**  
**As at 30 June 2004**

|                                  | 2004          | 2003          |
|----------------------------------|---------------|---------------|
|                                  | \$            | \$            |
| <b>EQUITY</b>                    |               |               |
| Unappropriated Profit            | 17,914        | 32,879        |
| <b>Total Equity</b>              | <u>17,914</u> | <u>32,879</u> |
|                                  |               |               |
| Represented By:                  |               |               |
| <b>CURRENT ASSETS</b>            |               |               |
| Cash at Bank                     | 13,438        | 42,753        |
| Members Subscriptions receivable | -             | 14,300        |
| Other Debtors                    | 9,033         | 15,959        |
|                                  | <u>22,471</u> | <u>73,012</u> |
|                                  |               |               |
| <b>NON CURRENT ASSETS</b>        |               |               |
| Plant & Equipment                | 8,801         | 8,801         |
| Less Accumulated Depreciation    | 8,801         | 8,801         |
| <b>TOTAL ASSETS</b>              | <u>22,471</u> | <u>73,012</u> |
|                                  |               |               |
| <b>CURRENT LIABILITIES</b>       |               |               |
| Sundry Creditors                 | -             | 26,658        |
| Provision for Holiday Pay        | 1,037         | 3,062         |
| Provision for PAYG Withholding   | -             | 1,766         |
| Superannuation Payable           | (1,167)       | 3,634         |
| Provision for GST                | 4,687         | 5,013         |
|                                  | <u>4,557</u>  | <u>40,133</u> |
|                                  |               |               |
| <b>TOTAL LIABILITIES</b>         | <u>4,557</u>  | <u>40,133</u> |
|                                  |               |               |
| <b>NET ASSETS</b>                | <u>17,914</u> | <u>32,879</u> |

*The accompanying notes form part of these financial statements.*

**NTEU - UNIVERSITY OF WESTERN SYDNEY BRANCH**

**Statement of Cash Flows  
For the Year ended 30 June 2004**

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|  |          |               |
|--|----------|---------------|
|  |          | 2004<br>\$    |
| <b>CASH FLOW FROM OPERATING ACTIVITIES</b> |          |               |
| Receipts from Customers                    |          | 475,239       |
| Payments to suppliers & employees          |          | (504,926)     |
| Interest received                          |          | <u>372</u>    |
| Net cash provided by operating activities  |          | (29,315)      |
| Net decrease in cash held                  |          | (29,315)      |
| Cash at beginning of year                  |          | <u>42,753</u> |
| <b>Cash at end of year</b>                 | <b>2</b> | <b>13,438</b> |

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

*The accompanying notes form part of these financial statements.*

**NTEU – UNIVERSITY OF WESTERN SYDNEY BRANCH**  
**Profit and Loss Statement**  
**For the Year ended 30 June 2004**

|                               | 2004    | 2003    |
|-------------------------------|---------|---------|
|                               | \$      | \$      |
| <b>INCOME</b>                 |         |         |
| Members Fees Received         | 448,703 | 436,329 |
| Sundry Income                 | 5,308   | -       |
| Interest Received             | 372     | 421     |
|                               | 454,383 | 436,750 |
| <b>EXPENDITURE</b>            |         |         |
| Accountancy Fees              | 4,000   | 2,400   |
| Advertising                   | 258     | 964     |
| Bank Charges                  | 98      | 182     |
| Conference & Meeting Expenses | 7,365   | 1,623   |
| Capitation Fees - National    | 193,152 | 134,370 |
| Capitation Fees - NSW         | 169,706 | 175,703 |
| National Defence Fund         | 3,391   | 24,201  |
| Computer Expenses             | 1,238   | 481     |
| Equipment Rental              | 1,281   | -       |
| General Expenses              | 4,399   | -       |
| Holiday Provision             | (2,024) | (4,833) |
| Lease Payments                | 445     | 3,950   |
| Motor Vehicle Expenses        | 409     | -       |
| Payroll Tax                   | 3,282   | 3,918   |
| Postage                       | 243     | 14      |
| Printing & Stationery         | 2,274   | 2,886   |
| Presidential Time Release     | 450     | 7,500   |
| Recruitment                   | -       | 250     |
| Repairs & Maintenance         | -       | 200     |
| Salaries & Wages              | 69,433  | 57,145  |
| Staff Training & Welfare      | 50      | 535     |
| Strike Defence                | 2,166   | 1,186   |
| Superannuation Contributions  | 4,785   | 4,743   |
| Telephone                     | 2,197   | 823     |
| Travelling & Entertainment    | 577     | 1,386   |
| Workers' Compensation         | 172     | 687     |

*The accompanying notes form part of these financial statements.*

**NTEU – UNIVERSITY OF WESTERN SYDNEY**  
**Profit and Loss Statement**  
**For the Year ended 30 June 2004**

|   | 2004     | 2003    |
|---|----------|---------|
|   | \$       | \$      |
|   | 469,347  | 420,314 |
| <b>OPERATING LOSS BEFORE INCOME TAX</b>                 | (14,964) | 16,436  |
| <b>OPERATING LOSS AFTER INCOME TAX</b>                  | (14,964) | 16,436  |
| Retained Profits at the beginning of the financial year | 32,878   | 16,443  |
| <b>UNAPPROPRIATED PROFIT AT 30 JUNE 2004</b>            | 17,914   | 32,879  |

*The accompanying notes form part of these financial statements.*

**NTEU – UNIVERSITY OF WESTERN SYDNEY**  
**Notes to the Financial Statements**  
**For the Year ended 30th June 2004**

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**1. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES**

This financial report has been prepared for use by the directors and members of the company and is a special purpose financial report. The directors have determined that the company is not a reporting entity.

The financial report has been prepared in accordance with the requirements of the following Australian Accounting Standards;

AAS 5 Materiality

AAS 8 Events Occurring After Reporting Date

No other applicable Accounting Standards, Urgent Issues Group Consensus Views or other authoritative pronouncements of the Australian Accounting Standards Board have been applied.

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

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

**NTEU – UNIVERSITY OF WESTERN SYDNEY BRANCH**  
**Notes to the Financial Statements**  
**For the Year ended 30th June 2004**

|   | 2004          | 2003          |
|---|---------------|---------------|
|   | \$            | \$            |
| <b>2. CASH</b>                            |               |               |
| Cash at Bank                              | 13,438        | 42,753        |
|   | <u>13,438</u> | <u>42,753</u> |
| <b>3. RECEIVABLES</b>                     |               |               |
| <b>Current</b>                            |               |               |
| Members Subscriptions receivable          | -             | 14,300        |
| Other Debtors                             | 9,033         | 15,959        |
|   | <u>9,033</u>  | <u>30,259</u> |
| <b>4. PROPERTY, PLANT &amp; EQUIPMENT</b> |               |               |
| <b>Plant &amp; Equipment</b>              |               |               |
| Plant & Equipment                         | 8,801         | 8,801         |
| Less Accumulated Depreciation             | 8,801         | 8,801         |
| <b>5. PAYABLES</b>                        |               |               |
| <b>Current</b>                            |               |               |
| Sundry Creditors                          | -             | 26,658        |
|   | <u>-</u>      | <u>26,658</u> |
| <b>6. CURRENT TAX LIABILITIES</b>         |               |               |
| Provision for GST                         | 4,687         | 5,013         |
|   | <u>4,687</u>  | <u>5,013</u>  |

**NTEU – UNIVERSITY OF WESTERN SYDNEY BRANCH**  
**Notes to the Financial Statements**  
**For the Year ended 30th June 2004**

|                                | 2004    | 2003  |
|--------------------------------|---------|-------|
|                                | \$      | \$    |
| <b>7. PROVISIONS</b>           |         |       |
| <b>Current</b>                 |         |       |
| Provision for Holiday Pay      | 1,037   | 3,062 |
| Provision for PAYG Withholding | -       | 1,766 |
| Superannuation Payable         | (1,167) | 3,634 |
|                                | (130)   | 8,462 |

**8. RETAINED PROFITS**

|   |        |        |
|---|--------|--------|
| Retained profits at the beginning of the financial year | 32,878 | 16,443 |
| <b>Add</b>  |        |        |
| Net profit attributable to members of the company       | -      | 16,436 |
| <b>Less</b>   |        |        |
| Net loss attributable to members of the company         | 14,964 | -      |
| Retained profits at the end of the financial year       | 17,914 | 32,879 |

**9. CASH FLOW INFORMATION**

Cash at the end of the financial year as shown in the Statement of Cash Flows is reconciled to the related items in the statement of financial position as follows:

|              |        |
|--------------|--------|
| Cash at Bank | 13,439 |
|--------------|--------|



# NTEU - UNIVERSITY OF WESTERN SYDNEY BRANCH

## Operating Report for the Year Ended 30 June 2004

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### Principal Activities

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

### Results of principal activities

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

### Significant Changes in nature of principal activities

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

### Significant changes in Branch's financial affairs

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

### Number of Members

The number of persons who, at the end of the financial year, were recorded on the Register of Members was 892.

### Number of employees

The number of persons who were, at the end of the financial year, employees of the Branch was 2 (includes 1 part time employee) measured on a full time equivalent basis.

### Members of Committee of Management

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

Ms Robyn Moroney

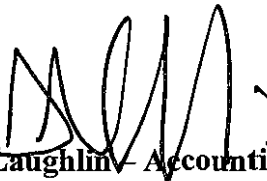
Ms Anne Maureen Scarff

Ms Edith Taylor

President

Vice President

Secretary



Anthony McLaughlin - Accounting Officer

Signed at Sydney this 31<sup>st</sup> day of March 2005

**NTEU - UNIVERSITY OF WESTERN SYDNEY BRANCH**  
**Committee of Management Statement**  
**for the Year Ended 30 June 2004**

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On *31st March 2005* the Committee of Management of NTEU – University of Western Sydney Branch passed the following resolution in relation to the general purpose financial report (GPFR) of the Branch for the financial year ended 30<sup>th</sup> June 2004.

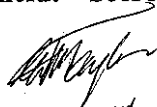
The Committee of Management declares in relation to the GPFR that in its opinion:

- (a) the financial statements and notes comply with the Australian Accounting Standards;
- (b) the financial statements and notes comply with the reporting guidelines of the Industrial Registrar;
- (c) the financial statements and notes give a true and fair view of the financial performance, financial position and cash flows of the Branch for the financial year to which they relate;
- (d) there are reasonable grounds to believe that the reporting unit will be able to pay its debts as and when they become due and payable;
- (e) during the financial year to which the GPFR relates and since the end of that year;
  - (i) meetings of the committee of management were held in accordance with the rules of the organisation including the rules of a Branch concerned; and
  - (ii) the financial affairs of the Branch have been managed in accordance with the rules of the Branch including the rules of a Branch concerned
  - (iii) the financial records of the Branch have been kept and maintained in accordance with the RAO Schedule and the RAO Regulations.

**For Committee of Management: Edith Taylor**

**Title of Office held: Secretary**

**Signature:**



**Signed at Sydney this *6<sup>th</sup>* day of *April* 2005**

**POWELL, Larry**

**From:** Anthony McLaughlin [a.mclaughlin@uws.edu.au]  
**Sent:** Thursday, 3 March 2005 10:50 AM  
**To:** larry.powell@air.gov.au  
**Subject:** Presentation of Report to General Meeting

Larry,

This is to indicate that we have run into some difficulties presenting our Audited Accounts to a General Meeting of members. A meeting scheduled for February 26 had to be cancelled due to a malfunction with the University's Audio Visual equipment.

I am currently trying to negotiate a new 'slot' for the Union to present the Reports, however due to the timing (start of the Academic year) I am having trouble finding an appropriate time.

I expect this process to be completed by, at the very latest, 31 March 2005.

let me know if there are any problems here. You may also find our Financial Reports online at:

<http://www.nteu.org.au/bd/uws/11065/audit03-04>

Regards,

Anthony McLaughlin  
Branch Executive Officer  
NTEU-UWS  
Building EKG29  
Parramatta Campus  
Locked Bag 1797  
PENRITH SOUTH DC NSW 1797  
phone: 02 9685 9237  
facsimile: 02 9685 9319  
email: nteu@uws.edu.au <mailto:nteu@uws.edu.au>  
webpage: <http://www.nteu.org.au/bd/uws> <<http://www.nteu.org.au/bd/uws>>

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

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

**Ref: FR2004/519 - [283V-UWS]**

Ms Rita DiMascio  
Branch Secretary  
National Tertiary Education Industry Union  
University of Western Sydney Branch  
NTEU Office  
Room EKG29, Building EK  
University of Western Sydney - Parramatta  
PENRITH SOUTH NSW 1797

Dear Ms DiMascio

**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>74</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>74</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.

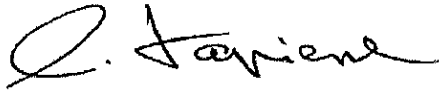
### **Information on AIRC Website**

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

23 November 2004



**Ref: FR2004/519-[283V-UWS]**

Ms Rita DiMascio  
Branch Secretary  
National Tertiary Education Industry  
Union-University of Western Sydney Branch  
NTEU Office  
Parramatta Campus  
Locked Bag 1797  
PENRITH SOUTH DC 1797

Dear Ms DiMascio

### **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: **FR2004/519**.

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

**TIMELINE/ PLANNER**

|  |   |  |
|--|---|--|
| Financial reporting period ending:   | / /   |  |
| <b>FIRST MEETING:</b><br>Prepare General Purpose Financial Report (including Committee of Management Statement in accordance with C of M resolution) and Operating Report - s253(1), s254(1)   | / /   | as soon as practicable after end of financial year                                       |
| Auditor's Report prepared and signed and given to the Reporting Unit - s257  | / /   | within a reasonable time of having received the GPFR                                     |
| Provide full report free of charge to members.<br><br>(a) if the report is to be presented before a General Meeting (which must be held within 6 months after the end of the financial year), the report must be provided to members 21 days before the General Meeting, or<br><br>(b) in any other case including where the report is presented to a Committee of Management meeting, the report must be provided to members within 5 months of end of financial year.<br><br><i>(obligation to provide full report may be discharged by provision of a concise report s265(1))</i> | / /<br><br><br><br><br><br><br><br><br><br> |  |
| <b>SECOND MEETING:</b><br>Present full report to:<br><br>(a) General Meeting of Members - s266 (1),(2), or<br><br>(b) where rules of organisation allow, a Committee of Management meeting - s266 (3)  | / /<br><br><br>                             | within 6 months of end of financial year<br><br>within 6 months of end of financial year |
| Lodge full report (including any concise report) in the Industrial Registry together with secretary's certificate (or other officer authorised by the rules of the organisation) - s268  | / /   | within 14 days of meeting  |

**Note:** The legislation makes limited provision for extensions of time concerning the provision of the full report to members and the presentation of the full report to a general meeting etc however the maximum extra time allowed can be no more than one month.



**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*