



Australian Government
Registered Organisations Commission

23 August 2021

Stuart Fysh
Honorary Secretary
Print and Visual Communication Association (PVCA)
Sent via email: info@pvca.org.au

Dear Mr Fysh

The Print and Visual Communication Association's Officer and related party disclosure statement (ORP Statement) for 2019 financial year

Thank you for the ORP statement for the Print and Visual Communication Association (**the Association**). The ORP statement includes information required to be provided to your members and lodged under subsection 293J of the Fair Work (Registered Organisations) Act 2009 (**the RO Act**).

Summary of your ORP Statement and Review Outcome

Financial year ending 31 December 2019
Matter number ORP2019/400
Lodgement date 29 June 2021
Review Primary Review
Result FILED

Primary review

Your ORP statement had a **primary review** which checked whether it was signed by an officer, lodged on time, included the required NIL statements and whether you met the requirements that the ROC raised with you last year.

Your ORP statement has been uploaded to the ROC website.

You do not need to do anything further this year. The following comments are made to assist you when you prepare next year's ORP statement.



Not lodged on time

The Association's ORP statement was not lodged on time.

Did you know? Last year more than 92% of organisations and branches lodged their ORP statement on time.

Next year's ORP statement must be lodged within 6 months of the end of the financial year.



Time Frame

Section 293J of the RO Act requires that your ORP Statement is provided to members and that a copy be lodged with the Registered Organisations Commission (ROC) within 6 months of the end of the organisation's financial year.

As indicated in correspondence sent by the ROC to the Association dated 2 August 2021, the ORP Statement for the 31 December 2019 financial year was lodged in June 2021, almost 18 months after the end of that financial year, meaning it was effectively lodged a full year later than required.

The ROC acknowledges subsequent correspondence received from the Association dated 18 August 2021, indicating that particular circumstances resulted in a flaw in the Association's compliance procedures being identified and that the Association has since put in place systems intended to prevent a recurrence of late lodgement.

In particular, we note the Association's advice that it has instigated a compliance register that is presented at all monthly board meetings for review by the Association's board. The ROC welcomes this step and looks forward to the Association's ongoing and timely compliance with their statutory obligations in the future.

The ROC's risk-based approach

This year your ORP statement was assessed against a primary review.

In the five year period following the introduction of ORP statements, the ORP statement of every organisation and branch will be subject to at least one advanced review. An advanced review is a more comprehensive review.

The ROC's [advanced review checklist](#) is published on our website.

Do you have questions?

Information and education materials are available on our [website](#). These materials are regularly updated. We recommend you [subscribe to the ROC's subscription service](#).

If you have any queries we can be contacted on 1300 341 665 or by email at regorgs@roc.gov.au.

Yours sincerely

Registered Organisations Commission



2 August 2021

Stuart Fysh
Honorary Secretary
Print and Visual Communication Association
Sent via email: info@pvca.org.au

Dear Mr Fysh,

Officer and related party disclosure statement (ORP Statement) for the Print and Visual Communication Association (ORP2019/400)

I refer to the ORP statement lodged by the Print and Visual Communication Association (**the Association**) with the Registered Organisations Commission (**the ROC**) on 29 June 2021, under subsection 293J of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

Your lodgement is appreciated but raises a number of issues – in particular around the delay in lodgement.

Time frames

Section 293J of the RO Act requires that the ORP Statement is provided to members and that a copy be lodged with the ROC within 6 months of the end of the organisation's financial year. That is, by the end of June for an organisation with a 31 December financial year. Section 293J is a civil penalty provision and non-compliance (whether non-lodgement or late lodgement) may expose an organisation to Federal Court proceedings

In the case of your Association, the ORP Statement for the 2019 financial year was lodged almost 18 months after the end of that financial year, i.e. it was effectively a full year after it was due.

ROC communications about ORP statement

It is concerning that the statement was lodged so late, despite multiple contacts being made by ROC staff regarding lodgement of this ORP statement.

For ease of reference, I have listed below, the ROC's contact with the Association regarding this issue.

- 8 January 2020 (i.e. immediately after the 31 December 2019 financial year finished) – Courtesy letter sent regarding lodgement of ORP statement (copy of letter **attached** for your convenience)

- 8 June 2020 (i.e. approaching the deadline for lodgement) – Reminder courtesy letter sent regarding lodgement of ORP Statement (letter **attached** for your convenience)
- 8 October 2020 – Following on from non-lodgement, telephone call from ROC staff to the Association, which referred us to 'Rachel' of iKeep Bookkeeping and Payroll Services, who was apparently tasked with financial reporting duties. Details provided by ROC staff member about the ORP due date (i.e. which had already passed for the 2019 return) and this being an annual requirement. Copies of the January (courtesy) and June (reminder) letters emailed to her for each of reference.
- 17 November 2020 – Follow up contact from ROC staff member to Rachel regarding ORP lodgement. Rachel advised that the statement was drafted and was with the Treasurer to be signed. She undertook to ring the treasurer the same day and remind that the statement was already 'very overdue'.
- 28 June 2021 – Voicemail message left with Rachel regarding overdue ORP statement lodgement and indicating that the 2020 statement (ORP2020/361) was now falling due. Subsequent discussion with Kieran May from your organisation about lodgement of ORP2019/400 and ORP2020/361 statements. Further email with copy of courtesy and reminder letters re-sent.
- 29 June 2021 – Discussion between ROC staff member and yourself regarding ORP2019/400 and ORP2020/361 lodgement. Statements lodged with the ROC.

I acknowledge and commend your personal approach to the issue, including the concern expressed by you when you spoke with the ROC about this issue on 29 June 2021, and particularly the prompt action that you took to ensure lodgement immediately afterwards, of both the 2019 and 2020 ORP statements. It is appreciated.

However, we remain concerned by the unfulfilled assurances previously given to the ROC by others on behalf of the Association and the apparent system and process issues which led to the situation – which included but were certainly not limited to the need for further contact details to be held by the ROC for the Association.

Actions sought

In these circumstances, the ROC is seeking details of what processes the Association is putting in place or proposes to put in place to prevent a recurrence of late lodgement of statutory returns.

Could you also please confirm, as part of that response, when the ORP statements for 2019 (ref. ORP2019/400 and 2020 (ORP2020/361) were provided to members and by what means they were provided.

The Association's response **by Monday 16 August 2021** would be appreciated.

The compliance response by the ROC in relation to the late lodgement will be considered in light of the ROC's Compliance Policy – available at www.roc.gov.au/sites/default/files/migration/436/pp004-compliance-policy.pdf – and the response, if any, received from the Association about the requested information on remedial steps and distribution of the ORP statements to members.

As the Compliance Policy indicates, there are a range of options available including working with an organisation to achieve voluntary compliance and remedial action, through to escalated compliance action, which could include an inquiry under s.330 or an or investigation under s.331 of the RO Act.

Please feel free to contact me directly, either by phone on (02) 8293 4665 or by email to bill.steenson@roc.gov.au if you have any queries or wish to discuss the matter.

Yours sincerely

Bill Steenson
Principal Lawyer, Compliance and Protected Disclosures
Registered Organisations Commission

OFFICER AND RELATED PARTY DISCLOSURE STATEMENT in accordance with Section 293J Fair Work (Registered Organisations) Act 2009

I, Stuart Fysh being the Honorary Secretary of the Print and Visual Communications Association declare the following Officer and Related Party (ORP) Disclosure Statement.

Organisation name	Print and Visual Communications Association	Branch name	Australia
Financial year start date	01/01/2019	Financial year end date	31/12/2019

INSTRUCTIONS FOR COMPLETING THIS STATEMENT:

1. Answer the question about how many officers receive remuneration (remember this includes remuneration from external boards)
2. Enter information into the tables about your branch or organisation. Add extra lines if needed (e.g. if more than one officer receives the same remuneration)
3. If there are no disclosures in any of the cells below, please insert 'NIL'

Top five rankings of officers – relevant remuneration and non-cash benefits

How many officers do you have who receive remuneration?	<i>Please circle</i>	0	1	2	3	4	5	5+
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Remuneration includes wages and salary (including superannuation), fees, allowances, benefits and other entitlements paid by the organisation AND payments from external board positions (even if not retained by the officer).

When all officers in the Print and Visual Communications Association are ranked by relevant remuneration for the financial year, the following officers are ranked no lower than fifth:

Full Name	Office (e.g. Secretary)	Actual amount of relevant remuneration	Value of relevant non-cash benefits	Form of relevant non-cash benefits (e.g. car)
1.NIL		\$	\$	
2.NIL		\$	\$	
3.NIL		\$	\$	
4.NIL		\$	\$	
5.NIL		\$	\$	

Payments to related parties and declared persons or bodies

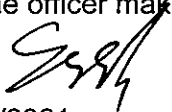
During the financial year, the following payments were made to related parties or declared persons or bodies. The details of these payments are included below. (This list does not include payments that are exempted from disclosure under section 293G).

Date	Name	Nature of relationship (e.g. company owned by Secretary)	Purpose of payment (e.g. catering)	Amount	Other relevant details
NIL				\$	
NIL				\$	
NIL				\$	
NIL				\$	
NIL				\$	
NIL				\$	

I declare that:

- the officers listed in this ORP statement are those whose relevant remuneration places them in the top five rankings of officers;
- where fewer officers are listed, this is because only those listed officers received relevant remuneration;
- the only officers in the top five rankings who received non-cash benefits are those for whom an amount is listed in the non-cash benefits column;
- the persons and entities listed under 'payments to related parties' are the only related parties or declared persons or bodies that are required to be disclosed under s.293G, where none are listed this is because there were no disclosable payments;

Signed (by the officer making the declaration):



Dated: 29/06/2021

[This form must be signed by an officer]

PLEASE NOTE: The Officer and Related Party Disclosure Statement must be provided to all members and a copy lodged with the Registered Organisations Commission (ROC) within six months of the end of the financial year. It can be lodged with the ROC by emailing to regorgs@roc.gov.au. ALL BRANCHES are required to lodge an Officer and Related Party Disclosure Statement. It is then published on the ROC website.