



FAIR WORK  
AUSTRALIA

20 November 2009

Jason Jones  
Secretary  
United Firefighters' Union of Australia  
ACT Branch  
PO Box 110  
BELCONNEN MALL 2616

Dear Mr Jones,

**Re: Financial Reports of the United Firefighters' Union of Australia – ACT Branch for years ended 30 June 2004, 2005, 2006, 2007 and 2008**

**Fair Work (Registered Organisations) Act 2009 (the RO Act)**

I refer to the above financial reports lodged on 2 March 2009. Firstly, I apologise for the lateness of our reply. The Fair Work Legislation introduced in July has certainly had an impact on our normal work load.

Given the amount of years the Branch is in arrears and the changes to the legislation, our examination and comments focus only on the 30 June 2008 financial report. That is not to say that late lodgements of financial reports are acceptable. Financial reports should be prepared, audited, supplied to members, presented to a meeting and then lodged with Fair Work Australia (FWA) within certain timeline requirements. I attach a flowchart for your assistance.

Section 305(2)(ze) of the RO Act is a civil penalty provision. It provides that a failure to meet the requirements of s268 is a contravention of that civil penalty provision. The Federal Court may on application of FWA impose a pecuniary penalty on the person or organisation whose conduct contravened the civil penalty provision. I also draw your attention to the provisions of Chapter 9 of the RO Act which set out the general duties of officers and employees of organisations and their branches in relation to financial management. These provisions may be invoked where inadequate reasons for late lodgements are provided.

In relation to the 30 June 2008 financial report, there are a considerable number of areas the financial documents need to be revisited in order to fully comply with the relevant provisions. It is clear that the report has been prepared under provisions that are no longer applicable and therefore cannot be accepted. Given that the lodgement of the 30 June 2009 financial report is expected shortly, I suggest that the 2008 financial report be done again taking in the requirements of the RO Act and lodged with the 2009 report. This will require the auditor to audit both financial reports because the auditor's report for 30 June 2008 is incorrect.

By way of example, it will be necessary for the auditor to provide an opinion regarding whether the report is 'presented fairly' in accordance with the requirements of the RO Act. The auditor is required to specifically refer to whether the report meets the requirements of both the RO Act and Australian Accounting Standards. An appropriate form of wording for the auditor to use would be:

*In my opinion the general purpose financial report is presented fairly in accordance with applicable Australian Accounting Standards and the requirements of Part 3 of Chapter 8 of the Fair Work (Registered Organisations) Act 2009.*

The audit report must report on a General Purpose Financial Report. A Special Purpose Financial Report will not be accepted by FWA. Further, it is not clear from the auditor's report whether or not the auditor is an 'approved' auditor. I draw your attention to the definitions of approved auditor in regulation 4 of the Fair Work (Registered Organisations) Regulations 2009 (copy attached). In all likelihood the auditor may be such a person however, it should be made explicit in the Report. I recommend you draw these comments to the attention of your auditor.

Other issues about your report are:

- The Accounting Officer's certificate is no longer required.
- Your Committee of Management Statement contains opinions and information that were once relevant under the Workplace Relations Act 1996. The Committee of Management Statement under the RO Act requires similar and other information.
- There is now a requirement to provide an Operating Report of the Branch. The Operating Report must, among other things, provide a review of the branch's principle activities during the year and any significant changes in the nature of those activities.
- The financial reports must be accompanied by a Designated Officers Certificate, or better known as a Secretary's certificate. This is generally a one page certificate from the secretary stating that the documents so lodged are copies of the auditor's report, accounts and statements which were provided to the members and presented to a meeting. The certificate should contain the date the members were provided a copy and the date on which the meeting was held.

Given the changes to the legislation since the Branch last lodged its financial reports, I have attached, for illustrative purposes, a copy of the 2008 financial report of the Queensland branch\* of your organisation as a guide to preparing reports that meet the requirements of the RO Act. In addition, the Financial Reporting Guidelines, financial reporting fact sheets and sample documents can be found on our Fair Work Australia website. The information can be viewed at [www.fwa.gov.au](http://www.fwa.gov.au), click Registered Organisations/Overview/ registered organisations fact sheets.

Every effort should be made by the branch (the reporting unit) to now meet the terms of the reporting requirements and I would be pleased to take any queries you have. The attached flowchart, report of the Queensland branch and the fact sheets should assist you in this matter.

Could you please advise me in writing at your earliest convenience the steps the branch proposes to take in fulfilling the above requirements. You may contact me by email at [robert.pfeiffer@fwa.gov.au](mailto:robert.pfeiffer@fwa.gov.au) or by phone (03) 8661 7817.

Yours sincerely,



Robert Pfeiffer  
Tribunal Services and Organisations  
Fair Work Australia

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\* Please note that references in this document are made to the former Act, which are acceptable. The RO Act commenced on 1 July 2009. Financial reporting obligations that were previously set out in Schedule 1 to the Workplace Relations Act 1996 now appear in the RO Act, although section numbering remains the same.



**United Firefighters Union Act  
Branch**

Financial Statements  
For the year ended 30 June 2004

Andrew Maroc & Associates

Unit 1A 15 Hall Street

Lyncham 2602

# United Firefighters Union Act Branch

## **Contents**

Profit and Loss Statement

Balance Sheet

Compilation Report

Detailed Profit and Loss Statement

Detailed Balance Sheet

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# United Firefighters Union Act Branch

## Profit and Loss Statement

For the year ended 30 June 2004

	2004 \$
Operating profit before income tax	46,094.69
Income tax (credit) attributable to operating profit (loss)	<u>                    </u>
<b>Operating profit after income tax</b>	<b>46,094.69</b>
Retained profits at the beginning of the financial year	<u>                    </u>
Total available for appropriation	46,094.69
Other appropriations	<u>(231,940.76)</u>
	<u>(231,940.76)</u>
<b>Retained profits at the end of the financial year</b>	<b><u><u>278,035.45</u></u></b>

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The accompanying notes form part of these financial statements. These statements should be read in conjunction with the attached compilation report.

**United Firefighters Union Act Branch**  
**Balance Sheet As At 30 June 2004**

	Note	2004 \$
<b>Current Assets</b>		
Cash assets		<u>175,333.56</u>
<b>Total Current Assets</b>		<u>175,333.56</u>
<b>Non-Current Assets</b>		
Property, plant and equipment		<u>106,664.74</u>
<b>Total Non-Current Assets</b>		<u>106,664.74</u>
<b>Total Assets</b>		<u>281,998.30</u>
<b>Current Liabilities</b>		
Current tax liabilities		<u>3,962.85</u>
<b>Total Current Liabilities</b>		<u>3,962.85</u>
<b>Total Liabilities</b>		<u>3,962.85</u>
<b>Net Assets</b>		<u>278,035.45</u>
<b>Equity</b>		
Retained profits		<u>278,035.45</u>
<b>Total Equity</b>		<u>278,035.45</u>

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The accompanying notes form part of these financial statements. These statements should be read in conjunction with the attached compilation report.

**United Firefighters Union Act Branch**  
**Compilation Report to United Firefighters Union Act Branch**

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On the basis of the information provided by the directors of United Firefighters Union Act Branch, we have compiled, in accordance with APS 9: Statement on Compilation of Financial Reports the special purpose financial report of United Firefighters Union Act Branch for the period ended 30 June 2004, comprising the attached Statement of Financial Performance and Statement of Financial Position.

The specific purpose for which the special purpose financial report has been prepared is set out in Note 1. The extent to which Australian Accounting Standards and other mandatory professional reporting requirements have or have not been adopted in the preparation of the special purpose financial report is set out in Note 1.

The Directors are solely responsible for the information contained in the special purpose financial report and have determined that the accounting policies used are consistent with the financial reporting requirements of United Firefighters Union Act Branch's constitution and are appropriate to meet the needs of the Directors and Members of the company.

Our procedures use accounting expertise to collect, classify and summarise the financial information, which the Directors provided into a financial report. Our procedures do not include verification or validation procedures. No audit or review has been performed and accordingly no assurance is expressed.

To the extent permitted by law, we do not accept liability for any loss or damage which any person, other than the Company, may suffer arising from any negligence on our part. No person should rely on the special purpose financial report without having an audit or review conducted.

The special purpose financial report was prepared for the benefit of the Directors and Members of United Firefighters Union Act Branch and the purpose identified above. We do not accept responsibility to any other person for the contents of the special purpose financial report.

Unit 1A 15 Hall Street  
Lyneham

Andrew Maroc & Associates

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17 October, 2008

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# United Firefighters Union Act Branch

## Detailed Profit and Loss Statement

For the year ended 30 June 2004

2004

\$

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### Income

Subscriptions	130,433.16
Total income	<u>130,433.16</u>

### Expenses

Accountancy	80.00
Affiliation Fees	6,972.11
Bank Fees And Charges	668.93
Computer Expenses	242.45
Depreciation - other	3,745.00
Insurance	1,618.55
Legal fees	11,555.37
Light & power	508.18
Motor Vehicle Expenses	3,128.58
Office Expenses	336.94
Printing & stationery	79.09
Rates & land taxes	2,800.40
Repairs & maintenance	315.00
Social Functions / Meetings	4,708.67
Staff training	2,790.00
Subscriptions'	429.94
Superannuation	3,732.41
Telephone	9,546.81
Travel, accom & conference	3,102.89
Wages - Employees	4,562.97
Wages - Officeholders	11,561.18
Wages - PAYG Withholding	11,853.00
Total expenses	<u>84,338.47</u>
<b>Profit from Ordinary Activities before income tax</b>	<u><u>46,094.69</u></u>

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The accompanying notes form part of these financial statements. These statements should be read in conjunction with the attached compilation report.



**United Firefighters Union Act Branch**  
**Detailed Balance Sheet As At 30 June 2004**

	Note	2004
		\$
<b>Current Assets</b>		
<b>Cash Assets</b>		
Bank Cheque Account		144,534.98
Bank Creswell Account		30,798.58
		<u>175,333.56</u>
<b>Total Current Assets</b>		<u><b>175,333.56</b></u>
<b>Non-Current Assets</b>		
<b>Property, Plant and Equipment</b>		
Buildings - at cost		95,680.00
Plant & equipment - at cost		30,821.24
Less: Accumulated depreciation		(25,844.90)
Motor vehicles - at cost		24,597.40
Less: Accumulated depreciation		(18,589.00)
		<u>106,664.74</u>
<b>Total Non-Current Assets</b>		<u><b>106,664.74</b></u>
<b>Total Assets</b>		<u><b>281,998.30</b></u>
<b>Current Liabilities</b>		
<b>Current Tax Liabilities</b>		
GST payable control account		13,043.73
Input tax credit control account		(4,708.88)
GST clearing 2004		(6,302.00)
Amounts withheld from salary and wages		1,930.00
		<u>3,962.85</u>
<b>Total Current Liabilities</b>		<u><b>3,962.85</b></u>
<b>Total Liabilities</b>		<u><b>3,962.85</b></u>

The accompanying notes form part of these financial statements. These statements should be read in conjunction with the attached compilation report.

**United Firefighters Union Act Branch**  
**Detailed Balance Sheet As At 30 June 2004**

	Note	2004 \$
<hr/>		
Net Assets		<u>278,035.45</u>
<b>Equity</b>		
Retained profits / (accumulated losses)		<u>278,035.45</u>
<b>Total Equity</b>		<u>278,035.45</u>

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The accompanying notes form part of these financial statements. These statements should be read in conjunction with the attached compilation report.

**United Firefighters Union Act Branch  
Depreciation Schedule for the year ended 30 June, 2004**

		Total	Priv	OWDV	DISPOSAL		ADDITION		DEPRECIATION			Priv	CWDV	PROFIT		LOSS		
					Date	Consid	Date	Cost	Value	T	Rate			Deprec	Upto	+	Above	Total
<b>Plant &amp; Equipment</b>																		
Furniture & Fittings	8,690.00 01/07/90	8,690	0.00	468		0		0	468	D	15.00	70	0	398	0	0	0	0
Office Equipment	2,400.00 01/07/90	2,400	0.00	280		0		0	280	D	15.00	42	0	238	0	0	0	0
Photocopier	5,126.00 29/08/91	5,126	0.00	750		0		0	750	D	15.00	112	0	638	0	0	0	0
Two Office Chairs	350.00 06/09/91	350	0.00	51		0		0	51	D	15.00	8	0	43	0	0	0	0
Fax machine	845.00 03/03/92	845	0.00	134		0		0	134	D	15.00	20	0	114	0	0	0	0
Kresta Blinds	360.00 04/10/91	360	0.00	54		0		0	54	D	15.00	8	0	46	0	0	0	0
Microwave	259.00 05/08/92	259	0.00	43		0		0	43	D	15.00	6	0	37	0	0	0	0
Vacuum Cleaner	286.00 18/08/92	286	0.00	49		0		0	49	D	15.00	7	0	42	0	0	0	0
Equipment	208.00 15/09/92	208	0.00	36		0		0	36	D	15.00	5	0	31	0	0	0	0
Filing Cabinet	224.00 28/06/95	224	0.00	60		0		0	60	D	15.00	9	0	51	0	0	0	0
Bookshelves	556.00 13/07/99	556	0.00	229		0		0	229	D	20.00	46	0	183	0	0	0	0
		<u>19,304</u>		<u>2,154</u>		<u>0</u>		<u>0</u>	<u>2,154</u>			<u>333</u>	<u>0</u>	<u>1,821</u>				
									Deduct Private Portion			<u>0</u>						
									Net Depreciation			<u>333</u>						

**United Firefighters Union Act Branch  
Depreciation Schedule for the year ended 30 June, 2004**

	Total	Priv	OWDV	DISPOSAL		ADDITION		Value	T	DEPRECIATION		Priv	CWDV	PROFIT			LOSS	
				Date	Consid	Date	Cost			Rate	Deprec			Upto	+	Above	Total	-
<b>Motor Vehicles</b>																		
VW Polotrek	24,597.00	08/12/98	24,597	0.00	7,753		0	0	7,753	D	22.50	1,744	0	6,009	0	0	0	0
	<u>24,597</u>		<u>7,753</u>		<u>0</u>		<u>0</u>	<u>7,753</u>			<u>1,744</u>	<u>0</u>	<u>6,009</u>					
								Deduct Private Portion			<u>0</u>							
								Net Depreciation			<u>1,744</u>							

UFU Meeting 26 November 2008

Apologies:

Saunders

Todd Bourne

Pete Stanley

Scott Young

Peter Jeffs

Russell Goodall

Jim Schlizio

Peter Cartwright

Motion that minutes of previous meeting be accepted.

Moved: Graham Bryce

Second: Pat Brennan

### **Financials**

Have Financials from 2004, 2005, 2006, 2007 and 2008 but only one set of minutes and motions. Documents need to be submitted to Industrial Relations Commission or the Union will be deregistered. Unsure of location of documents however, damage was suffered in office by water and some documents lost.

Table 2004 Financials then move through 2005, 2006 and 2007.

Investment strategy for Union implemented. Currently getting 8.35% on monies invested.

Financial 30 June 2004 moved Gina Kikos. Second Shaun McIntyre

2005 moved Ross Turton seconded Alan Swan

2006 moved Stu Gallop seconded Mick Agius.

No queries on 2008.

Moved Graham Bryce, seconded Alan Swan.

Motion put forward – all in favour.

AGM closed at 1825.

Ordinary General Meeting opened 1825.

### **Secretary's report.**

Union vehicle deemed unserviceable. Vehicle unused by Eric – used personal vehicle but didn't keep log books. Last audit recommendations, buying being deemed the better option financially, however car will not be purchased until there are sufficient funds available. The old vehicle is to be taken to Rae St for training purposes.

## **Fairbairn and Hume.**

Meeting with D Prince and G Kent. Plans have been viewed and will be available for everyone to look at. There are some issues with some supposed Government policies regarding open space, no closed space which raises privacy concerns. There are also issues for Comcen staff and that any level over SOGB has to have own office. Need to have further consultation over plans.

Hume going ahead. Have been allocated the block near the swamp instead of the block between the Helicopter and the Gaol. Construction will be done in stages which will have implications on the movement of areas. Cannot build an enclosed tower due to bird species. There are many issues that need to be discussed so a working group is to be formed. For example workshop not getting six bays only five. The Fairbairn move is to be before middle of next year. Training will be multi-agency training.

Vince – president of Services Club gave thanks for the support of the Union so far. Firefighters to be able to be full members voted unanimously at AGM.

Members on South Coast, private contractors with CIRCO and their CA is due. There is to be a National review. NSW reluctant to take over while review under way. ACTUFU to handle CA negotiations. Started bargaining period for CA, offer from NSW to assist.

National review. National Union has no money. National meeting in Tasmania, to be attended by Jason Jones and Mark Hall.

Finances - \$260,000 in term deposit, \$41,000 in cheque account. / 25k —

Future direction of Union. Plan for future akin to Tasmania. Union fees currently at \$20 per fortnight whereas other unions charge 1% of wage. More expenses being incurred. Propose that deductions increase with pay rises. Everyone to pay same but increases linked to pay rises. Same figure for everybody fairer so everyone pays equally for same services.

Motion – dues at hourly rate of FB1 per fortnight to increase with pay rise.

Moved: Pat Brennan seconded Gina Kikos.

Motion carried with one vote against.

Payment for Secretary is at 20 hours per fortnight and President at 4 hours.

Motion Secretary to receive 30 hours and President to receive 20 hours to be reviewed twelve months.

Motion put forward by Mick Agius.

Seconded Neil Smith.

Motion carried.

Motion by Mark Hall.

To endorse declaration by Eric Williams that Jason Jones be acknowledged as Secretary of UFU Canberra Branch until elections in May 09. Seconded by Shaun McIntyre.

Motion carried unanimously.

Station relocation – final report was for the seven station model. Objections were raised by the Union over 7 station model. The model is now back up to 9 station model at new locations. No loss of stations but they are to be relocated.

Time frame may be influenced by Westfield Belconnen expansion and change to bus interchange. No concrete time frame as yet.

Day work dispositions. Generic duty statements for Brigade through JaCS HR. Currently 46 staff on day work and should only have 24. Need to ensure that personnel only do the duties assigned.

Training brief. CA put enormous workload on training section. Because of training of SO's there has been a suspension of more strategic training issues. Discussions to be held with CO and Deputy Commissioner on issue. SO's to come out with Diploma's in Firefighting Management. Need to put in place recognition of prior learning for SO's who do not have the official qualifications but have done the study.

Promotions will be linked to benchmarks. Cert IV for SFQ's and Diplomas for SO levels etc.

Website – not kept up to date. Can't put private information on it at the moment. Want to set up forum with list of topics for discussion and have a bulletin board. It will be moderated to ensure comments are kept appropriate. Look at email alerts for new stories. Nominate union delegates for certain portfolios. Website will advise contact officers to take weight off Secretary and President to allow them to concentrate on the bigger issues. Stories to be viewed openly, forums to be password protected.

OH&S – national standards document takes best practice around Australia and puts it in the one document which becomes policy. ACT has very good standards and are in line with the new National standards.

New tankers – old Mercs getting replaced, unsure of time frame. Dual cab, state of the art safety systems. Acquiring three.

New ACT OH&S bill to prepare in advance for National bill. Not enough people doing risk and pre-planning.

Club update – new fence put up and side fence to go up when funds received. Memorial garden go be installed as well.

Station cleaning – industrial cleaning of stations. Dispute registered with JaCS. All stations to be done to provide baseline. Tender has gone out.

New BAZ. Union does not know anything about it. Written to Conrad Barr and Brian Parry asking for outline of new arrangement. Change to work practices so need to know what the issues are. Ensure

proper documentation is available. Need to define for Comms operators to ensure proper agencies responded.

General Business

None

Meeting closed at 20:10.