



Australian Government
Australian Industrial Registry

Level 8, Terrace Towers
80 William Street, East Sydney, NSW 2011
Telephone: (02) 8374 6666
Fax: (02) 9380 6990

Ref: FR2004/571-[108V-VIC]

Mr Brian J Daley
Branch Secretary
Liquor, Hospitality and Miscellaneous Union
Victorian Branch
PO Box 327
NORTH MELBOURNE VIC 3051

Dear Mr Daley

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'¹). 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.

¹ 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). When lodging the financial return please quote: **FR2004/571**.

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 (02) 8374 6666 or by e-mail at Peter.McKerrow@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:

- [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	✓
1	General Purpose Financial Report	
	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?	
2	Committee of Management Statement	
	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?	
3	Auditor's Report	
	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?	
4	Operating Report	
	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?	
5	Concise report*	
6	Certificate of Secretary or other Authorised Officer	
	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 Officer¹

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]²*, referred to in s268 of the RAO Schedule; and
- that the *[full report **OR** concise report]³*, 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]³* of the reporting unit on *[insert date]*; in accordance with section 266 of the RAO Schedule.

Signature

Date:

¹*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.

²*Only applicable where a concise report is provided to members*

³*Insert whichever is applicable*



Australian Government
Australian Industrial Registry

Level 8, Terrace Towers
80 William Street, East Sydney, NSW 2011
Telephone: (02) 8374 6666
Fax: (02) 9380 6990

Mr Brian J Daley
Branch Secretary
Liquor, Hospitality and Miscellaneous Union-Victorian Branch
117 - 131 Capel Street
NORTH MELBOURNE VIC 3051

Dear Mr Daley

Financial Return - year ending 30 June 2004 Ref: FR2004/571

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 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'²).

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.

² 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 14 January 2005.

Contact the Registry

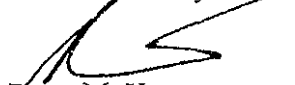
We encourage you to contact the Registry on (02) 8374 6666 or by e-mail at peter.mckerrow@air.gov.au as early as possible if you have any queries. If you have already taken steps to ensure that your reporting unit complies with the time scale requirements of RAO, please ignore this letter.

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:

- [RAO Schedule and RAO Regulations](#)
- [Registrar's Reporting Guidelines](#) - All GPFs 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



Peter McKerrow
for Deputy Industrial Registrar

23 November 2004

National Office
Level 9
187 Thomas Street
Haymarket NSW 2000

Locked Bag 9
Haymarket NSW 1240

Telephone: (02) 8204 7200
Facsimile: (02) 9281 4480
E-mail: lhmum@lhmum.org.au
Web address: www.lhmum.org.au

ABN: 5272 8088 684

Helen Creed
National President

Jeff Lawrence
National Secretary

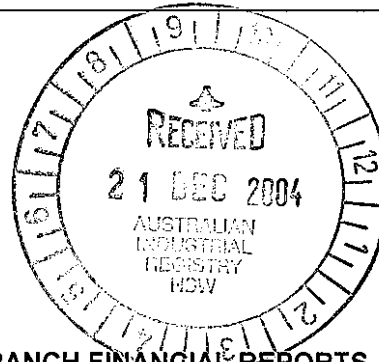
Tim Ferrari
Jo-anne Schofield
Louise Tarrant
Assistant National Secretaries

**Liquor, Hospitality
and Miscellaneous Union**



20 December, 2004

Mr Barry Jenkins
Deputy Industrial Registrar
Australian Industrial Registry
80 William Street
EAST SYDNEY NSW 2010



Dear Mr Jenkins

re: VICTORIAN BRANCH FINANCIAL REPORTS

I am writing to lodge the financial reports for the LHMU Victorian Branch for the year ended 30 June 2004. Enclosed is the Branch Full Financial Report including:

- The Committee of Management Statement signed by the Branch Secretary.
- The Operating Report signed by the Branch Secretary.
- The Independent Audit Report signed by the Branch Auditors.
- The accounts including the notes to and forming part of the accounts.

The financial reports were presented to the Branch Executive meeting on 18 August 2004. The Executive resolved:

- That the operating report be approved and signed.
- To endorse the Committee of Management Statement.
- That the Branch Secretary be authorised to sign the Committee of Management Statement.
- That the financial reports be distributed to members by publication on the LHMU website and advertising that link in the November edition of Union News.

Subsequently the financial reports including the General Purpose Financial Report, the Auditors' statements and the operating report were supplied to members through publication on the LHMU website. Members also received a copy of Union News which contained an advertisement advising members how to view the reports on the website.

A full report was provided to the meeting of the Victorian Branch Executive on 15th December and was adopted by that meeting. Also enclosed is a copy of the Branch Secretary's certificate dated 15th December 2004.

On the basis of the above and the enclosed documentation it would seem that the Victorian Branch has complied with the audit and reporting requirements of the Act.

If you have any questions please contact me.

Yours faithfully

JEFF LAWRENCE
NATIONAL SECRETARY

**LIQUOR, HOSPITALITY AND MISCELLANEOUS UNION
VICTORIAN BRANCH**

FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2004

CERTIFICATE BY SECRETARY OR PRESCRIBED OFFICER

I Brian Daley being the Branch Secretary of the Victorian Branch certify:

- That the documents lodged herewith are copies of the full report, referred to in s268 of the RAO Schedule; and
- That the full report was provided to members on 30 November 2004; and
- That the full report was presented to a meeting of the Committee of Management of the reporting unit on 15 December 2004; in accordance with section 266 of the RAO Schedule.

Signed:

B. Daley,

Date:

15 DECEMBER 2004

**LIQUOR, HOSPITALITY & MISCELLANEOUS UNION
VICTORIAN BRANCH**

**OPERATING REPORT
FOR THE YEAR ENDED 30TH JUNE 2004**

In accordance with sec. 254 of the Workplace Relations Act 1996 ("the Act"), your Committee of Management report as follows:

Principal Activities

The principal activity of the Branch during the year was that of a registered trade union. No significant change occurred in the nature of those activities during the year.

Operating Result

The operating result of the Branch for the year ended 30th June 2004 was a surplus of \$209,410. No provision for tax was necessary as the Branch is considered exempt.

Significant Changes

There was no significant change in the financial affairs of the Branch during the year.

Rights of Members

Subject to the rules of the organisation and sec. 174 of the Act, members have the right to resign from membership of the Branch by written notice addressed to and delivered to the Secretary of the Branch.

Superannuation Office-holders

The following officers and/or members of the Branch are directors of companies that are trustees of superannuation funds which require one or more of their directors to be a member of a registered organisation -

<u>Officer / Member:</u>	<u>Trustee Company:</u>	<u>Name of Entity/ Scheme:</u>	<u>Position:</u>
Brian Daley	Australian Retirement Fund Pty Ltd	Australian Retirement Fund	Director
Brian Daley	HOSTPLUS Pty Ltd	HOSTPLUS	Director
Brian Daley	Industry Fund Services Pty Ltd	Industry Fund Services	Director

**LIQUOR, HOSPITALITY & MISCELLANEOUS UNION
VICTORIAN BRANCH**

**OPERATING REPORT
FOR THE YEAR ENDED 30TH JUNE 2004 (CONTINUED)**

Other Prescribed Information

In accordance with Regulation 159 of the Workplace Relations (Registration & Accountability of Organisations) Regulations –

- (a) the number of persons that were at the end of the financial year recorded in the register of members for sec. 230 of the RAO Schedule and who are taken to be members of the Branch under sec. 244 of the RAO Schedule was 21,552;
- (b) the number of persons who were at the end of the financial year employees of the Branch including both full-time and part-time employees measured on a full-time equivalent basis was 52;
- (c) the names of those who have been members of the Committee of Management of the Branch at any time during the financial year and the periods for which he or she held office were –

Name:	Period:
Vivian Duggan	1/7/03 to 30/6/04
Rod Morris	1/7/03 to 30/6/04
Brian Daley	1/7/03 to 30/6/04
Terry Breheny	1/7/03 to 30/6/04
Jane Farrell	1/7/03 to 30/6/04
Dominic Fountain	1/7/03 to 30/6/04
George Kozarevski	1/7/03 to 30/6/04
Peter Casey	1/7/03 to 30/6/04
Bronwen Jefferson	1/7/03 to 30/6/04
Spiros Vasilakis	1/7/03 to 30/6/04
Henry Li	1/7/03 to 30/6/04
Greg Frederickson	1/7/03 to 30/6/04
Adrianna Camilleri (name changed from Martha Olivera as from 17/3/04)	1/7/03 to 30/6/04
Margarita Murray	15/7/03 to 30/6/04
Con Manavakis	15/7/03 to 30/6/04
Jacqui Fang	1/7/03 to 12/1/04
Steve Gome	1/7/03 to 17/6/04

Other Relevant Information

Nil

Signed for and on behalf of the Committee of Management –

Date: 18 AUGUST 2004

BDaley

.....
Branch Secretary

**LIQUOR, HOSPITALITY & MISCELLANEOUS UNION
VICTORIAN BRANCH**

COMMITTEE OF MANAGEMENT STATEMENT

On 18th August 2004 the Committee of Management of the Liquor, Hospitality & Miscellaneous Union - Victorian Branch passed the following resolution in relation to the general purpose financial report (GPFR) of the reporting unit for the financial year ended 30th 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 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: Brian Daley

Title of Office held: Branch Secretary

Signature: 

Date: 18 AUGUST 2004.

**LIQUOR, HOSPITALITY & MISCELLANEOUS UNION
VICTORIAN BRANCH**

INDEPENDENT AUDITOR'S REPORT

Scope

We have audited the accompanying general purpose financial report of the Liquor, Hospitality & Miscellaneous Union - Victorian Branch, for the year ended 30th June 2004, comprising Statement of Financial Performance, Statement of Financial Position, Statement of Cash Flows and Notes to the Financial Statements. The Union's Branch Executive is responsible for the preparation and presentation of the financial report and the information it contains. We have performed an independent audit of this financial report in order to express an opinion on it to the members of the Union.

Our audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance as to 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 evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects, the financial report is presented fairly in accordance with statutory requirements so as to present a view which is consistent with our understanding of the Union's financial position and performance as represented by the results of its operations and cash flows.

The audit opinion expressed in this report has been formed on the above basis.

Audit Opinion

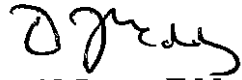
In our opinion -

- (a) the accounts are properly drawn up so as to present fairly the financial position of the Union as at 30th June 2004 and its performance for the year ended on that date; and
- (b) the accounts are in accordance with the provisions of the Workplace Relations Act 1996 and Australian Accounting Standards.

Signed at Melbourne, this 18th day of August, 2004.

Eddy Partners
6th Floor, Coates Building
20 Collins Street
MELBOURNE, VIC., 3000
Tel: (03) 9654-5944
Fax: (03) 9654-6908

EDDY PARTNERS,
Certified Practising Accountants.


David James Eddy, CPA.
Registered Company Auditor.

**LIQUOR, HOSPITALITY &
MISCELLANEOUS UNION
VICTORIAN BRANCH**

**FINANCIAL STATEMENTS
FOR THE YEAR ENDED
30TH JUNE 2004**

Registered Address:

117 - 131 CAPEL STREET,
NORTH MELBOURNE, VICTORIA, 3051

Tel: (03) 9235 7777
Fax: (03) 9235 7770

Secretary:

Brian Daley

Contents:

Statement of Financial Performance
Statement of Financial Position
Statement of Cash Flows
Notes to the Financial Statements

**LIQUOR, HOSPITALITY & MISCELLANEOUS UNION
VICTORIAN BRANCH**

**STATEMENT OF FINANCIAL PERFORMANCE
FOR THE YEAR ENDED 30TH JUNE 2004**

	Year Ended 30/6/04 \$	Year Ended 30/6/03 \$
<u>INCOME</u>		
Membership Contributions	4,680,835	4,475,600
Interest Received	838,073	815,260
Rent Received:		
- Capel Street	86,242	51,945
- Tootgarook	17,210	11,870
- Torquay	28,148	23,505
- Mildura	2,150	7,100
- Lakes Entrance	18,940	16,170
- Drummond Street	27,142	44,016
Profit on Disposal of Non-Current Assets	1,353	3,777
Profit on Disposal of Woodham Avenue Property	170,762	-
AJEC Income	-	247
Directors Fees Received	69,410	37,899
Workcover Claims re Employees	68,174	81,499
Funds from National Office re Organising Co-Ordinator	124,112	61,818
Safety Development Fund Income	45,000	52,500
AEAV Levy Income	85,691	45,217
Sundry Income	41,107	49,986
<i>Total Income</i>	6,304,349	5,778,409
<u>LESS EXPENDITURE</u>		
Accountancy & Audit	20,400	19,000
Advertising	913	1,871
Affiliations - Australian Labor Party	76,387	81,590
Affiliations - VTHC & Others	69,260	94,049
AJEC Expenses	86	-
Attendance Fees	7,666	4,139
Awards & Publications	30,332	33,043
Bank Charges	27,376	29,539
Caretaker Expenses	7,402	7,439
Cleaning	1,266	7,008
Campaign Costs	14,530	89,443
Commission Paid	97,412	95,018
Computer Expenses	14,294	18,691
Consultancy Expenses	2,475	16,052
Delegates Fees & Expenses	9,867	15,097
Depreciation - Buildings	98,234	100,331
Depreciation - Motor Vehicles	86,837	101,604
Depreciation - Furniture & Equipment	158,818	160,250
Donations	700	1,767
Education & Training Expenses	16,513	24,085
Electricity	49,337	54,515
Entertainment Expenses	8,726	5,904
Fringe Benefits Tax - Officers	3,010	2,912

The accompanying notes form part of these financial statements.

**LIQUOR, HOSPITALITY & MISCELLANEOUS UNION
VICTORIAN BRANCH**

**STATEMENT OF FINANCIAL PERFORMANCE
FOR THE YEAR ENDED 30TH JUNE 2004**

	Year Ended 30/6/04 \$	Year Ended 30/6/03 \$
Fringe Benefits Tax - Staff	11,370	10,232
General Expenses	15,011	9,651
Honorariums	3,471	3,993
Insurance	27,570	31,946
Legal Costs	3,591	57,057
Loss on Disposal of Non-Current Assets	34,819	30,022
Lost Time	23,678	23,827
Magazine Expenses	64,892	56,878
Meetings, Conferences & Travelling Expenses	41,377	35,111
Mortality Fund Payments	-	3,000
Motor Vehicle Expenses	156,632	172,852
Payroll Tax	157,977	163,591
Postage & Couriers	43,737	39,968
Printing & Stationery	70,299	68,804
Provision for Accrued Annual Leave	(21,988)	53,229
Provision for Long Service Leave	6,979	56,449
Rates & Taxes	67,384	57,509
Rent & Room Hire	16,865	12,182
Repairs & Maintenance	62,154	83,693
Safety Development Fund Expenditure	32,588	69,179
Salaries & Allowances - Elected Officers	273,393	259,638
Salaries & Allowances - Staff	2,540,478	2,643,818
Salaries & Allowances - Casual & Other	1,700	4,843
Staff Amenities	14,976	12,298
Superannuation Contributions - Officers	34,644	32,075
Superannuation Contributions - Staff	370,271	381,592
Sustentation Fees	788,902	761,665
Telephone	115,218	125,255
Workcover Expenses	73,522	71,862
<i>Total Expenditure</i>	5,833,351	6,295,566
SURPLUS/(DEFICIT) FOR YEAR	470,998	(517,157)
ABNORMAL ITEM		
Redundancy Payments to Terminated Employees	261,588	-
SURPLUS/(DEFICIT) FOR YEAR AFTER ABNORMAL ITEM	209,410	(517,157)

The accompanying notes form part of these financial statements.

**LIQUOR, HOSPITALITY & MISCELLANEOUS UNION
VICTORIAN BRANCH**

**STATEMENT OF FINANCIAL PERFORMANCE
FOR THE YEAR ENDED 30TH JUNE 2004**

	Year Ended 30/6/04 \$	Year Ended 30/6/03 \$
Accumulated Funds - Beginning of Year	18,121,365	18,638,522
<u>ACCUMULATED FUNDS AT 30TH JUNE 2004</u>	<u>18,330,775</u>	<u>18,121,365</u>

The accompanying notes form part of these financial statements.

**LIQUOR, HOSPITALITY & MISCELLANEOUS UNION
VICTORIAN BRANCH**

**STATEMENT OF FINANCIAL POSITION
AS AT 30TH JUNE 2004**

	2004 \$	2003 \$
<u>MEMBERS' FUNDS</u>		
Accumulated Funds	18,330,775	18,121,365
<i>represented by:</i>		
<u>CURRENT ASSETS</u>		
Petty Cash on Hand	1,132	1,103
Deposits	225	225
Cash at Bank - General Account	1,663	19,035
Cash at Bank - Trace Account	10,057	2,622
Cash at Bank - AJEC	1,832	1,926
Sundry Debtors	28,335	24,101
Debtor - LHMU Federal Office	112,327	44,076
LHMU Clothing on Hand	12,130	14,598
Interest Receivable	64,993	69,068
Prepayments	64,853	63,771
<i>Total Current Assets</i>	297,547	240,525
<u>FIXED ASSETS</u>		
Land & Buildings	4,745,316	4,910,320
Less: Accumulated Depreciation	1,684,761	1,638,915
	3,060,555	3,271,405
Motor Vehicles	553,000	692,906
Less: Accumulated Depreciation	202,377	275,032
	350,623	417,874
Furniture & Equipment	3,123,190	3,105,572
Less: Accumulated Depreciation	2,624,492	2,500,085
	498,698	605,487
<i>Total Fixed Assets</i>	3,909,876	4,294,766
<u>INVESTMENTS</u>		
Bank Bills & Notes	14,601,369	14,958,670
Loan - Western Australia Branch	948,478	-
Shares in Unlisted Companies	302	302
<i>Total Investments</i>	15,550,149	14,958,972
TOTAL ASSETS	19,757,572	19,494,263

The accompanying notes form part of these financial statements.

**LIQUOR, HOSPITALITY & MISCELLANEOUS UNION
VICTORIAN BRANCH**

**STATEMENT OF FINANCIAL POSITION
AS AT 30TH JUNE 2004**

	2004 \$	2003 \$
<u>CURRENT LIABILITIES</u>		
Rent Received In Advance	-	1,495
Bond Monies Held	3,750	-
Sundry Creditors	456,900	403,230
Legal Fees Payable	289	3,687
Other Creditors	2	2
Input Tax Credits	(61,611)	(73,905)
GST Payable	130,196	126,109
Provision for Accrued Annual Leave - Officers	86,708	82,583
Provision for Accrued Annual Leave - Staff	283,136	309,249
Provision for Long Service Leave - Officers	107,652	95,641
Provision for Long Service Leave - Staff	384,309	369,162
<i>Total Current Liabilities</i>	1,391,331	1,317,253
<u>NON-CURRENT LIABILITIES</u>		
Provision for Long Service Leave - Staff	35,466	55,645
<i>Total Non-Current Liabilities</i>	35,466	55,645
TOTAL LIABILITIES	1,426,797	1,372,898
<u>NET ASSETS</u>	18,330,775	18,121,365

The accompanying notes form part of these financial statements.

**LIQUOR, HOSPITALITY & MISCELLANEOUS UNION
VICTORIAN BRANCH**

**STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30TH JUNE 2004**

	NOTE	Year Ended 30/6/04 \$	Year Ended 30/6/03 \$
CASH INFLOW/(OUTFLOW) FROM OPERATING ACTIVITIES	7		
Receipts			
Membership Dues		4,680,083	4,476,389
Interest Received		842,148	881,102
Other Income		310,642	300,008
Rent Received		183,467	166,249
Funds from National Office		55,951	30,000
GST Collected		17,085	6,742
		<u>6,089,376</u>	<u>5,860,490</u>
Payments			
Salaries, Superannuation, Annual Leave & Long Service Leave		(3,405,374)	(3,270,819)
Sustentation Fees		(786,443)	(760,920)
Other Expenditure		(1,494,315)	(1,746,555)
GST Paid		(3,439)	(12,101)
		<u>399,805</u>	<u>70,095</u>
CASH INFLOW/(OUTFLOW) FROM NON-OPERATING ACTIVITIES			
Purchase of Motor Vehicles		(121,445)	(212,468)
Purchase of Plant & Equipment, Furniture & Fittings		(70,999)	(101,244)
(Purchase of)/Proceeds from Bank Bills & Notes, Mortgage		357,301	436,441
(Payment of)/Proceeds from Western Australia Branch Loan		(948,478)	-
Proceeds from Sale of Non-Current Assets		370,065	66,365
Proceeds from Bond Monies Received		3,750	-
		<u>(409,806)</u>	<u>189,094</u>
Net Cash Provided By/(Used In) Non - Operating Activities		<u>(409,806)</u>	<u>189,094</u>

The accompanying notes form part of these financial statements.

**LIQUOR, HOSPITALITY & MISCELLANEOUS UNION
VICTORIAN BRANCH**

**STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30TH JUNE 2004 (CONTINUED)**

	Year Ended 30/6/04	Year Ended 30/6/03
NOTE	\$	\$
Net Increase/(Decrease) in Cash Held	(10,001)	259,189
Add: Cash Held at 1st July 2003	24,685	(234,504)
CASH HELD AS AT 30TH JUNE 2004	<u>14,684</u>	<u>24,685</u>

REPRESENTED BY:

Petty Cash on Hand	1,132	1,103
Cash at Bank - General Account	1,663	19,034
Cash at Bank - Trace Account	10,057	2,622
Cash at Bank - AJEC Account	1,832	1,926
	<u>14,684</u>	<u>24,685</u>

The accompanying notes form part of these financial statements.

**LIQUOR, HOSPITALITY & MISCELLANEOUS UNION
VICTORIAN BRANCH**

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

1. STATEMENT OF ACCOUNTING POLICIES

The financial report is a general purpose financial report that has been prepared in accordance with the Australian Accounting Standards including the disclosure requirements of the Workplace Relations Act 1996.

The following is a summary of significant accounting policies adopted by the Union in the preparation of the financial report which, unless otherwise stated, have been consistently applied:-

(a) Basis of Accounting

The financial report has been prepared on the basis of historical costs and does not take into account changing money values or, except where otherwise stated, current valuations of non-current assets.

With the exception of membership contributions, all income and expenditure of the Union has been brought to account on an accruals basis of accounting so as to match income for the period with the expenditure incurred in earning that income.

Membership contributions are brought to account on the cash basis of accounting as and when received as permitted by Section 252(4) of the Workplace Relations Act 1996.

(b) Employee Entitlements

Provision has been made in the financial report for the Union's liability for employee entitlements arising from services rendered by employees to balance date. Employee entitlements expected to be settled within one year together with entitlements arising from wages and salaries, annual leave and long service leave which will be settled after one year have been measured at their nominal amount. Other employee entitlements payable later than one year have been measured at their expected present value of the estimated future cash outflows to be made for those entitlements.

(c) Income Tax

No provision has been made in the financial report for income tax on the basis that the Union is exempt under Section 50-15 of the Income Tax Assessment Act 1997 (formerly Section 23(f) of the Income Tax Assessment Act 1936).

(d) Fixed Assets

Fixed assets are stated in the accounts at historical cost less, where applicable, any accumulated depreciation.

Fixed assets, other than freehold land, are depreciated on a straight line or diminishing value basis over the period of their estimated effective lives.

**LIQUOR, HOSPITALITY & MISCELLANEOUS UNION
VICTORIAN BRANCH**

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

2. UNION RULES

The rules of the Union provide that all property and assets are held in the name of the Union. This particularly applies to property acquired from Branch funds but which is registered in the name of the Union. Branch funds themselves form part of the property of the Union.

The Union's policy is for assets and property acquired from Branch funds to be accounted for in the Financial Statements of the Branch from whose funds the assets were acquired.

Similarly, all income received by a Branch (whether in the form of entrance fees, contributions, fines, fees, levies, dues or penalties, or by way of investments and the like) is accounted for in the Financial Statements of that Branch even though such income is the property of the Union.

3. WORKPLACE RELATIONS ACT 1996

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 272, which reads -

- (1) A member of a reporting unit, or a Registrar, may apply to the reporting unit for specified prescribed information in relation to the reporting unit to be made available to the person making the application.
- (2) The application must be in writing and must specify the period within which, and the manner in which, the information is to be made available. The period must not be less than 14 days after the application is given to the reporting unit.
- (3) A reporting unit must comply with an application made under subsection (1).

4. CONTINGENT LIABILITIES

The members of the Branch Executive are unaware of any contingent liability, the effect of which may be material in relation to the financial report.

**LIQUOR, HOSPITALITY & MISCELLANEOUS UNION
VICTORIAN BRANCH**

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

5. FIXED ASSETS

Land & Buildings

	<u>30/6/04</u>		<u>30/6/03</u>	
	<u>Cost</u>	<u>Provn for Depn</u>	<u>Cost</u>	<u>Provn for Depn</u>
117-131 Capel St., North Melbourne	3,801,169	1,438,942	3,801,169	1,357,571
220 Woodham Ave., Mildura	-	-	164,354	47,478
50 Wilkinson St., Tootgarook	97,902	52,326	97,902	50,291
Lot 1, 60 Myer St., Lakes Entrance	265,412	61,830	265,412	57,377
22 Pride St., Torquay	118,756	49,096	118,756	46,912
62 Drummond St., Carlton	462,077	82,567	462,727	79,286
	<u>4,745,316</u>	<u>1,684,761</u>	<u>4,910,320</u>	<u>1,638,915</u>

6. EVENTS SUBSEQUENT TO BALANCE DATE

The Branch Executive is unaware of any events which have arisen subsequent to balance date, the effect of which may be material in relation to the financial report.

**LIQUOR, HOSPITALITY & MISCELLANEOUS UNION
VICTORIAN BRANCH**

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

**7. RECONCILIATION OF CASH INFLOW/(OUTFLOW) FROM OPERATING
ACTIVITIES WITH OPERATING SURPLUS/(DEFICIT) FOR YEAR**

	Year Ended 30/6/04	Year Ended 30/6/03
Operating Surplus/(Deficit) for Year	209,410	(517,157)
Add Back: Non Cash Flow Items		
Depreciation - Buildings	98,234	100,331
Depreciation - Motor Vehicles	86,837	101,604
Depreciation - Furniture & Equipment	158,818	160,250
Provision for Long Service Leave	6,979	56,449
Provision for Accrued Annual Leave	(21,988)	53,229
Profit on Disposal of Non-Current Assets	(172,115)	(3,777)
Loss on Disposal of Non-Current Assets	34,819	30,022
Rates Adjustment re Disposal of Woodham Avenue	722	-
	<u>401,716</u>	<u>(19,049)</u>
Changes in Assets and Liabilities:		
(Increase)/Decrease in Sundry Debtors	(4,234)	17,210
(Increase)/Decrease in Debtor - LHMU Federal Office	(68,251)	-
(Increase)/Decrease in LHMU Clothing on Hand	2,468	1,589
(Increase)/Decrease in Interest Receivable	4,075	65,842
(Increase)/Decrease in Prepayments	(1,082)	(15,661)
(Increase)/Decrease in Input Tax Credits	12,294	(9,729)
Increase/(Decrease) in Sundry Creditors and Accruals	53,625	23,679
Increase/(Decrease) in Legal Fees Payable	(3,398)	-
Increase/(Decrease) in Rent Received in Advance	(1,495)	-
Increase/(Decrease) in GST Payable	4,087	6,214
	<u> </u>	<u> </u>
Net Cash Provided by/(Used in) Operating Activities	399,805	70,095

**LIQUOR, HOSPITALITY & MISCELLANEOUS UNION
VICTORIAN BRANCH**

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

8. RELATED PARTY DISCLOSURES

(i) The following persons have held office in the Union during the financial period:

Vivian Duggan	-	Branch President	
Rodney Morris	-	Deputy President	
Brian Daley	-	Branch Secretary	
Terry Breheny	-	Assistant Secretary	
Jane Farrell	-	Assistant Secretary	
Dominic Fountain	-	Executive Member	
Steve Gome	-	" "	(Resigned 17/6/2004)
George Kozarevski	-	" "	
Jacqui Fang	-	" "	(Resigned 12/1/2004)
Peter Casey	-	" "	
Bronwyn Jefferson	-	" "	
Spiro Vasilakis	-	" "	
Henry Li	-	" "	
Adrianna Camilleri (name changed from Martha Olivera as from 17/3/04)	-	" "	
Greg Frederickson	-	" "	
Margarita Murray	-	" "	(Elected 15/7/2003)
Con Manavakis	-	" "	(Elected 15/7/2003)

(ii) The aggregate amount of remuneration paid to officers during the financial year is disclosed in the Statement of Financial Performance under Salaries & Allowances - Elected Officers.

(iii) The aggregate amount paid during the financial year to a superannuation plan in connection with the retirement of officers is disclosed in the Statement of Financial Performance under Superannuation Contributions - Officers.

(iii) There were no other transactions between the officers of the Union other than those relating to their membership of the Union and the reimbursement by the Union in respect of expenses incurred by them in the performance of their duties. Such transactions have been on conditions no more favourable than those which it is reasonable to expect would have been adopted by parties at arm's length.



Australian Government
Australian Industrial Registry

Level 8, Terrace Towers
80 William Street, East Sydney, NSW 2011
Telephone: (02) 8374 6666
Fax: (02) 9380 6990
Email: sydney@air.gov.au

Mr Jeff Lawrence
National Secretary
Liquor Hospitality Miscellaneous Union
Locked Bag 9
HAYMARKET NSW 1240

Dear Mr Lawrence

**Re: Lodgement of Financial Statements and Accounts for the LHMU Victorian Branch for
the year ending 30 June 2004 (FR2004/571)**

Receipt is acknowledged of the abovementioned financial statements and accounts which were lodged in the Registry on 21 December 2004.

The documents have been filed. Thank you for your attention to this matter.

If I can be of any assistance please contact me on 02 8374 6618.

Yours sincerely,

Belinda Penna

Belinda Penna
for Deputy Industrial Registrar

24 January 2005