



Quarterly newsletter

ISSUE 08 | MAY 2019

New look newsletter

Welcome to our new look quarterly newsletter. We hope you enjoy the new format and find the information provided to be both timely and helpful.

The new format of the newsletter coincides with the commencement of our third year of operation. We have also recently introduced a new case management system – CaseHQ – which is enabling ROC staff to carry out our functions in a more efficient and streamlined manner.

The technology is much newer and it is our intention over time to use it to build an interactive platform for our stakeholders, including an external portal.

Interstate workshops in 2019

This year the ROC has again embarked on the delivery of information workshops around Australia, commencing in Sydney in March.

More than 40 people, representing 23 registered organisations, participated in small interactive sessions on various topics including financial reporting, the officer and related party statement, whistleblower disclosures and officer financial training.

A second Melbourne workshop is being held on 7 May. 75 people have registered to attend.



Compliance result – 100% lodgement of Annual Returns

The ROC would like to acknowledge and thank organisations for lodging 100% of Annual Returns for 2019 on time. The Annual Returns are now being checked, and the ROC will consult with organisations where required.



Financial training audit

As part of our commitment to promote good organisational governance, the ROC is engaging with organisations in an audit of financial training. Officers with financial duties are required to undertake approved financial training within six months of taking office (s 293K of the RO Act). We aim to reach a common understanding with organisations about which officers have financial duties and whether the holders of these offices have undertaken training.

Participation by organisations in the audit is voluntary. However the engagement of organisations in the audit is expected to increase awareness of the requirement to undertake training, as well as broaden officers' understanding of their financial duties.



Officer and related party disclosure statements: frequently asked questions

The first Officer and Related Party (ORP) Disclosure Statements prepared by organisations and branches, have been submitted to the ROC for assessment in December 2018 and March 2019 (being organisations and branches with a financial year ending on 30 June 2018 and on 30 September 2018). As the ORP Statement is a new requirement under the RO Act, the ROC has received enquiries and provided guidance about how to complete the ORP Statement. Below is a snapshot of the most frequently asked questions, with the ROC's response:

Does an ORP Statement still need to be lodged by an organisation or branch if there are no financial affairs to disclose?

Yes, all organisations and branches are required to prepare and lodge an ORP Statement. There are instructions on the [template](#) about how to prepare a 'nil statement', to clearly notify that there are no disclosures to be made.

Is the information required by the ORP Statement already contained in our Financial Report?

The requirement for reporting units to prepare and lodge a Financial Report is not the same as the requirement for organisations and branches to prepare and lodge an ORP Statement. The two requirements are detailed within different chapters of the RO Act. The time frames for providing the ORP Statement to members and lodging it with the ROC are different to the time frames for the General Purpose Financial Report, so they may need to be lodged with the ROC separately. A branch that is not required to prepare a financial report (i.e. because the reporting unit has obtained an exemption) is still required to prepare and lodge an ORP Statement.

Does the requirement to disclose the 'relevant remuneration' of an officer include amounts that have been reimbursed by the organisation?

This will depend upon whether the reimbursement is in the nature of 'remuneration'. Section 6 of the RO Act defines 'remuneration' to include pay, wages, salary, fees, allowances, leave, benefits or other entitlements. A reimbursement made in respect of fees, allowances, benefits or other entitlements paid by an officer may therefore need to be disclosed.

In summary, it will not be necessary to disclose the reimbursement of an expense reasonably incurred by the officer performing his or her duties as an officer (i.e. a disbursement that relates to a business expense). However, when the payment of a reimbursement conveys a personal benefit to the relevant officer, it may need to be disclosed.



Education Strategy 2019/2020

The national 2019/20 ROC Education Strategy, soon to be released, will outline our scheduled education activities for the next financial year. Largely driven by stakeholder feedback, the strategy includes further opportunities to interact with the ROC through workshops and presentations, and resources such as podcasts and an online learning tool.

The new strategy follows the successful 2018/19 strategy, which at its conclusion will have delivered five interstate workshops and a number of webinars and guidance notes on key legislative requirements.

The aim of the Education Strategy is to outline the ROC's education activities in advance so that registered organisations can plan ahead and schedule the education services they would like to utilise throughout the financial year.

The ROC also delivers education resources outside of the strategy, as needs are identified. As always, if you require further information, please contact our Education and Reporting team on 1300 341 665.



Updates to ROC tools and resources

Whistleblower materials

In March the ROC released additional web-based resources to assist registered organisations and their officers to respond to whistleblower disclosures.

The latest web-based resources include a [guide](#) for handling protected disclosures within registered organisations and [investigation templates and online videos](#) explaining the types of conduct that can be the subject of disclosures.

The new resources complement the information made available in January, which included a template for organisations looking to develop and implement 'in-house' whistleblower policies.



Election template – Notice and Statement of Prescribed Information

In response to stakeholder feedback, further guidance has been included in the 'Notice and Statement of Prescribed Information' template document to assist organisations whose rules provide that the number of elected representatives is calculated on a formula.

There are also now two published templates for elections on the ROC website, to highlight the distinction between elections for [office positions](#) and elections for [non-office positions](#).



ROC making 'house calls'

Senior ROC staff were recently requested to visit a Melbourne-based organisation to informally discuss a range of issues, including the nuances associated with maintaining and purging membership registers.

Both the ROC and the organisation found the informal meeting to be a useful way to communicate. The Commission remains keen to conduct further informal 'house calls', particularly in Melbourne, over the next 12 months. If other Melbourne-based organisations would like to arrange for a similar meeting, please get in touch via regorgs@roc.gov.au.

'House calls' in other states can be scheduled to coincide with our interstate workshops, the next one being in Adelaide.



Looking ahead

June 2019 – The ROC will undertake refresher education campaigns on financial reporting and officer and related party disclosures

July 2019 – The ROC will host its first interactive workshop in Adelaide. Further information, including how to register, will be released on our website closer to the event.

Did you know?

The Australian Maritime Officers' Union (AMOU) is the oldest organisation registered under the Fair Work (Registered Organisations) Act 2009.

The AMOU (known then as the Merchant Service Guild of Australasia) was registered on 15 May 1905 and provides representation for employees connected to the shipping, marine, maritime and stevedoring industries.

