



Q & A with the ROC webinar – 28 May 2020

Speaker Key

CE	Chris Enright
BS	Bill Steenson
MG	MaryAnne Guina
JF	Joanne Fenwick

CE Well good morning, and welcome to everybody who have joined us across Australia using their computers, their iPads, or various devices, and even their telephones. I can't tell you, I'm incredibly pleased to say that we've got over 100 people from across Australia, including people from unions, employer organisations, accounting and auditing firms, and government listening in today, which is fantastic.

We introduced our subscriber notice with the words, "welcome to the new normal". Now we don't know whether this will be the new normal or not, but it may be, and so we're giving some new technology a try. So Chris Enright is my name, I'm the Executive Director of the Registered Organisations Commission. The purpose of this discussion is really to engage, to reach out, touch base, provide a forum for anybody who's interested in registered organisations to make comments, to ask questions. Particularly in this pandemic, where things are not normal.

So it's new technology. I was talking to someone recently from an organisation and they were telling me that they had a Zoom meeting with over 1000 people, and it seemed to go all right.



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CE But one of the things that very senior official said to me was, we're all getting more forgiving about the technology, and I think he's right. So hopefully you'll be forgiving if this technology doesn't go as well as we think it will, but we're all learning. So just a couple of housekeeping things to start off with. I'll introduce you to our panel members soon, but a couple of housekeeping things. To help us achieve good audio quality, just to let you know that all the listeners, all of you, are on mute setting and only members of the panel will be able to speak.

We requested some questions in advance of this webinar. If you want to ask us a question, or anyone on the panel a question during the webinar, and you've joined us by computer, on your control panel, and I'm looking at it now on my screen, there's a



question or a chat function. You can expand the box and type in your question there. What we'll do is we'll aim to answer any questions that pop up during the course of this webinar if we can, after we get through the pre-submitted questions, unless something relevant pops up that we think will be useful.



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CE But if we run out of time, what we'll endeavour to do is publish answers on our website after the webinar is concluded. As well as all that, the audio recording will be available on our website hopefully within a few days, or a week or so. If you've joined us online, we've attached some resources, and I'm looking at them now on my screen. You can download them, those resources. Hopefully you might find them useful. Two guidance notes, about meetings and elections, and the ROC's latest newsletter.

So hopefully, if the technology's working, you'll be able to see me. As I said, I'm the Executive Director. Bill Steenson is one of our senior lawyers, you should be able to see Bill, hopefully. Joanne Fenwick, you should be able to see Jo. Jo's our Senior Financial Adviser. And MaryAnne Guina, who's joining us via the telephone. So probably, many if not most of you, I happen to be sitting in my office but some of my team here are sitting at various locations, and most of the ROC staff are working from home.

Firstly, my thanks to those people who have submitted questions. We'll go through those questions, and please feel free to ask questions along the way, and as I say, we'll try and answer them as well as we can. We've got limited time, and we know your time is valuable, so I'll start moving into the questions that have been asked. The first one I wanted to touch on is, is the ROC operating as business as usual during the pandemic, or are there temporary changes that organisations need to be aware of?



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CE Great question. We understand that the pandemic, and we're continually telling everyone, that we do, we get it. We understand that the pandemic continues to present significant challenges for organisations and their branches and their members, and so we've been open. I'll continue to remain open and committed to providing any and every assistance that we can. And we can provide assistance. It might take a little longer, but it might be quicker.

Three quick examples that I wanted to share with you. A couple of weeks ago, I think roughly, we received from one organisation more than 60 applications for exemptions from financial governance training. We dealt with those, and they're quite detailed, of course. Many of you have applied or seen the forms. You'll see the information that goes into them. We reviewed each of those applications carefully, but we dealt with them within a week. 60 applications from the one organisation in a week, because it's



important that organisations get those sorts of responses.

We've been quite vocal we've been working with the ACTU for some time on their very detailed, and quite impressive, governance training course for affiliates of the ACTU. While we'd been working with them, we received it some time ago now, but I recognise, we recognise, the urgency of that. We processed it, reviewed it, made sure it complied with all of the requirements, and within 24 hours had approved it. Very significant piece of work.

We got some feedback a couple of weeks ago about difficulties with organisations holding meetings.



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CE Within a week, we'd produced a guidance note, and published that guidance note. So they're just some examples that we're here to help. We are turning around things quite quickly where we can, and we think we're getting some good feedback about that.

So I'll move onto the next question. We've had some questions about holding virtual meetings. Neil, from Community Management Solutions, asked us the following question. In relation to holding an AGM in the current environment, are there any special allowances for voting electronically or by attendance? So Bill, Bill Steenson, our senior lawyer, can you provide a response to that question please?

BS Sure can. So the legislation that governs registered organisations also allows those organisations and branches to make many of the decisions themselves within the framework of their own rules. Holding an AGM or an annual conference is one of those. So the timing and format, who gets to attend it and so on, is generally governed by the organisation's own rules. Sometimes those rules will specify a location or a particular length of time. More often than not they're silent on those things, and they'll just say something like, the AGM must be held in X month.



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BS The legislation doesn't prescribe, and doesn't forbid, electronic meetings. The question then becomes, what do your rules say about it? Now if your rules specifically forbid having an AGM using those electronic means, that presents a difficulty, and you might want to consider changing your rules to allow for that option going forward. Remembering that your rule changes need to be certified by the Fair Work Commission.

However, if your rules are silent on the issue, the ROC considers that an electronic meeting is permitted as long as a couple of important points are met. Those important points are, you still need to give the required notice period for your general meeting. You still need to make sure that you get the required minimum number of



members to participate to achieve quorum, and your rules will tell you what the minimum number of people is who must participate for it to be a valid meeting.

It's also important that everyone who's eligible gets the opportunity to do things like participate in debate and ask questions, whether it's of the auditor or about the management of the organisation. And also the opportunity to vote and have their vote recorded accurately. So you might want to consider things like electronic voting too, not just a show of hands or voices, if it's a large meeting.

I'll give you a recent example. We had an organisation contact us a couple of weeks ago because it has to arrange a general meeting that it can't hold in person because of restrictions on the number of people allowed to attend gatherings. We provided them with advice and assistance about the ability to hold the meeting by electronic means, and their committee of management decided to run the meeting using a video conferencing app.



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BS They set a proposed date, and then the members tested the system to see that it worked and that they could understand how to use it. Once that was done, they could confirm the meeting date. They gave the required period of notice ahead of the meeting, and of the agenda items that they required to notify in advance, and all being well, their meeting will happen next Tuesday.

We've also got a guidance note, GN053, which is one of the documents that you'll see in the right-hand side in the control panel on your screen, if you're joining us by computer. Otherwise, it's available on our website.

CE Thank you, Bill. Quite interestingly, I had an email yesterday from a person about that guidance note, and gave some feedback about it, and was raising the issue about whether that guidance note might be used for rule amendments. The ROC doesn't have a role in amending rules or approving rule amendments, but it was an interesting take, and it was an interesting bit of feedback.

We'll move on to the next question. We've had a few questions submitted about the impact of the pandemic on elections, clearly. The question was, what's the plan for industrial elections, especially for the remainder of 2020? The person noted that the AEC advised that they wouldn't be conducting elections before the end of June unless they're urgent. The question is, do you anticipate there'll be a backlog of elections to be conducted, and will that push everybody's timeframe out? So, MaryAnne Guina, would you respond to that question please?



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MG Thanks Chris. ROC has an ongoing relationship with the AEC through our respective roles in arranging and conducting elections for registered organisations. We have been in contact with the AEC this week and have been advised that they are



currently working on a return to elections plan. They do have a number of elections currently being held in abeyance during the COVID-19 restrictions, and they will prioritise the conduct of those matters once they resume conducting elections, but will be reviewing the future situation and their timeframes during June.

The AEC has previously advised that it will conduct election ballots for critical positions only during this time. From the ROC's perspective, an organisation can still lodge their relevant prescribed information in the normal manner. ROC staff are continuing to review that information, together with the organisation's rule book, and make the necessary arrangements for any elections to be conducted.

CE And MaryAnne, I've had this question myself from a number of people I've been talking to. If we have an election due during the pandemic, what should our organisation do?

MG Well if an organisation has an election during the current restrictions period, the first thing officers need to do is review their rule book. Is there any rule specifically requiring that current officers must vacate their position by a set date or time? If there isn't, or the rules are silent about this aspect, the doctrine of holding over would most likely apply in the majority of cases.



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MG This doctrine means that a person can remain in office until either their removal or resignation, or there is an election held for the relevant position, even if their actual term may have expired. Where an organisation's rule book specifically states that an office must be vacated at the end of a term, then the doctrine of holding over will not apply. This will result in the offices remaining vacant until the next election can be conducted.

In such a situation, the organisation will need to carefully consider how it can or will function while waiting for that election process to be conducted. If an organisation does find itself in such a situation, it should consider if it will be impacted significantly in its ability to function, pending the conduct of the election.

To provide some preliminary assistance to organisations faced with these issues, the ROC has specific information on its website. If you just log on to the website, when you reach the home page, just click on the COVID-19 banner at the top of the page and it will link you to relevant materials. Specifically there is a guidance note that Chris referred to earlier, entitled The ROC's Guidance on the Conduct of Elections in Organisations and their Branches during Coronavirus COVID-19 Restrictions.

Now this guidance note is also attached to this webinar. If you look at the control panel as mentioned earlier, you will see a link entitled Handouts, and the guidance note is listed as GN054.



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MG Also, in the same part of the website I referred to before, there is an E-learning module entitled, *What happens if you can't have your election due to COVID-19?*, which can provide further assistance. Don't forget, ROC staff can continue to be available to provide any organisation with advice or assistance should it find itself in this type of situation. So please do not hesitate to contact us if you have any queries that are not addressed in the website material that I've referred to.

CE Thank you, MaryAnne. One of the most substantial pieces of work is dealing with the finances and financial administration, and regulating that at a registered organisation. So we know there are auditors online who have joined us today, and people from the finance area of organisations. One question that's been submitted is this: The end of the financial year for my organisation is 30th June 2020. For those people who don't know, the Act doesn't stipulate when a financial year must end, and the ROC deals with six different financial year endings for organisations and their branches.

Anyway, the question is, what are some of the things that I need to take into consideration with the upcoming audit of the organisation's financial statement due to the current situation with COVID-19? Joanne, could you walk us through those considerations please?

JF Yes, sure. One of the things to consider is potentially the way that the audit has been conducted previously.



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JF It probably won't be able to happen that way for this financial year ending. So one of the things that I'd be advising all registered organisations to do is to contact their auditor as soon as possible, to have these discussions about how they're actually going to conduct their audit. But some of the things that you probably need to consider include, where and how you actually keep your records. Do you keep them electronically? Are there hard copies?

Now, if they are hard copies and they're in your office, you know, do you actually have access to get into your office at the moment to be able to provide them to the auditor? Because the main part of the audit is to be able to provide the auditor with appropriate audit evidence, and a lot of the time that can be paperwork. Invoices, receipts, other financial documents as well and other records. So think about, and discuss that with your auditor, about what's the best way that you can actually provide that audit evidence to them.

And noting from that, potentially the timeframe to conduct the audit might be a little bit longer this year around, or this time around, to previous years. So you may need to take that into consideration as well. So there's going to be a number of financial reporting issues that could come into play, which, again, speak to your auditor about.

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JF But two matters that could potentially impact everybody relates to the fair value measurement. So one of the things with the fair value measurement is that the estimate of that is based on current market conditions. Now we know that the current conditions might actually lead to a really wide range of possible estimates of your fair value, so you might want to have those discussions with your auditor about that.

Also looking at the impairment assessment. An entity is required to do an assessment on whether there are any indications of impairments of its assets. An asset is impaired when the entity is not able to recover its carrying or its carrying value. Again, obviously with the current conditions, there is that indication that potentially there will be some impairments at the moment. Again, they're just some items you might want to talk to your auditor about.

In our recent podcast, we actually spoke about the Australian Accounting Standards Board, ASIC and the accounting professional bodies. They've actually released a whole lot of guidance material at the moment, which are really great resources that's available on their website. We would encourage everybody to have a look at that as well, because it covers things on the financial reporting aspect as well as the auditing process as well.

Also in addition, organisations probably need to look at just their own internal processes for the end of financial year. Just to identify if there's any limitation with the way they collect data, their records, approvals, and so forth. They may need to be changed a little bit as well for this current situation.

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CE Thanks Joanne. Look, there's just a couple of questions that have popped in. One is the same question that I'm about to ask Joanne. The first question is, and I won't mention people's names for privacy reasons, but if you want to stipulate in your question that you're happy for me to identify you and I get to that question, I'm also happy to do that. I'm in your hands. But the question is this. Will the electronic meeting interpretation be published as a guidance note?

Now, I'm not really 100% clear about what that question is. But I think it means, and I think we've already done that, unless that questioner wants to put in another question. We have published a guidance note about electronic meetings and we've attached that to this webinar. There's three attachments, and one of them is the guidance meeting. So if the questioner has a look at that, and if that's not what you're talking about, then please, feel free to clarify that.

But the next question that has been asked online is the same question that I'm about to ask Jo. My screen's just started to play up, but look I'll ask it... Here we go. What



date will the model financial year ending 2020, financial statements, the general purpose financial report and checklist be available on your website? So, Jo? One of our listeners or watchers is interested in this, and that's a question that's been asked prior to this. So, could you respond to that please?

JF Yes. They're actually under development at the moment, and they will be released in June. We're obviously hoping for earlier in June than later, but they are underway, and our aim is obviously to get them out as soon as possible.



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JF But they will definitely be out before 30th June. Just keep a look out, and there will be a subscriber notice coming out as well as soon as they've been made available. Some things to note, though, is that first of all that the Commissioner's reporting guidelines have not changed. There's no impact on those in relation to the model financial statements. As in previous years, these model financial statements will be identifying the accounting standards and amendments that have been adopted for the first time in this reporting period.

So again, each reporting unit will just need to review that list and discuss any impact of applying those new standards and amendments. But we do know that in relation to this financial year, or this set of model financial statements, is that there's been some big accounting standards that have come in, that will need to be adopted for the first time, which relates to leases and revenues. AASB 16 for leases, and AASB 15 revenue, and AASB 10-58 for income for not-for-profit entities.

They will be some definite changes to the model financial statement. But just in relation to those three accounting standards, we actually do have some fact sheets available on our website for those. So, again, I'd encourage people to go and have a look at those. Yes. They are underway and they will be released in June.

CE Thank you, Joanne. All right, I'll quickly move on to the next question that was provided.



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CE I think, this is just a personal view, one of the really interesting developments that the ROC has got itself involved in recently are podcasts. There are some, we know, a great number of people who are viewing these. But anyway, the question is this. I heard your podcast say, I needed to keep good records at this time. What kind of records should I be keeping? Bill, can you provide a response to that?

BS Sure. So in a nutshell, the records should tell a story. The reason for keeping good records, among others, is to be able to explain what happened, particularly if you're



faced with difficulties in getting things done. In terms of the source of records, it can depend on the particular issue, but the principle is the same.

If it's about meetings, say you had to postpone your AGM, or, heaven forbid the technology doesn't go to plan when you do run it, keep records showing the arrangements you made, emails, booking details, notices sent out, and notes on what went wrong. Another example, if you have difficulty getting your accountant or auditor to review documents or meet a deadline because, say, they were in self-isolation. Retain the emails and so on that show when you sent things to them, when you found out about the difficulty, and the revised arrangements that you made.

That way, if you're asked about it by your members or by the Registered Organisations Commission, the information is readily to hand.



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BS Now there are some records that you're just going to have to keep anyway, such as your register of members, and notifying us of any changes to the record of who your officers are.

CE Great, thanks Bill. All right, there's a really interesting question that's come through about financial governance training and whether it has an expiry date. But we're going to talk about financial governance training in a little while. So thank you to the questioner, and if we answer your question, great. Let us know if we don't.

So I'll move to the next question. We have some officers who will require governance training really soon, in order to meet the six-month time limit of the legislation. However, in light of the pandemic, it is going to be difficult, or perhaps not possible, for them to attend face-to-face training. What should we do? Can we get an extension of the six-month time frame? Jo, Joanne, could you give us some advice about that please?

JF Yes. In relation to the governance training, there's actually no power or provision under the Act which actually provides for an extension of time, in respect to the requirement to complete that training within six months of beginning to hold office. One of the things that Chris just spoke about before was, we've actually recently approved an additional two online training packages. One was from the ACTU, and the other was from a chartered accounting firm, Weston Woodley and Robertson.



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JF So we now actually have three online training courses available for officers of registered organisations, which they can do remotely and from anywhere. I'd be encouraging people to look at those as an option. We've also had discussions with our existing providers, who normally obviously conducts the training using a face-to-



face methodology, about whether that training could be delivered using other technologies, such as video conferencing. And some of those providers actually can do that, and are utilising that technology to be able to conduct that training.

Again, they've actually been identified on our website as well. So, again, go to the website and have a look. There actually could be other options available. But also, too, under Section 293 of the Act, the Commissioner can actually grant an exemption to an officer to undertake that requirement. Now, there are actually obviously specific grounds that need to be satisfied in order to grant that exemption. But we also encourage anybody to give us a call, so that we can actually discuss the individual circumstances on hand, to see if that's also an available option as well.

- CE** Thank you, Joanne. I just thought I'd mention, whilst we are talking about audits and governance training, is the audit of officers and compliance with governance training that we started in 2019. We haven't finished it yet, but to introduce that audit, we conducted a webinar in January of 2019, and at all of our face-to-face workshops since that time, we've continued to talk about it and how it's going and the reasons behind it.



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- CE** The reasons behind it, one of them was we were becoming aware, increasingly, of a level of non-compliance with the requirement for officers to participate in financial governance training. Those officers who had a role and responsibility in their rules, predominately, with financial governance, to participate in approved training within six months of taking up their office. One of the things that's emerged from the audit is confirmation of that level of non-compliance. There have been many, many examples of non-compliance.

But what we're doing is we're working with organisations, not to bring any proceedings of course, but to increase compliance. Because we think that not only is financial compliance required, but financial training's critical to organisations, and whilst the Act requires it, organisations benefit enormously, I think, from their officers understanding their responsibility.

The other thing we weren't clear about is actually how many officers there are in registered organisations. Even organisations themselves have, some of them are not really clear about which positions and which officers are actually officers. Even more, some lack of understanding or lack of clarity around which officers actually have financial responsibilities in organisations, in order to determine whether they're required to participate in the training.

So the audit we conducted, and are conducting, has been really, really positive, as far as we're concerned. And positive for organisations.



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CE Organisations have identified even some other compliance issues, and have noticed they haven't lodged notifications of change for some officers who have changed. So they've gone through and looked at their own records, and we've seen a really positive response to that.

We did have a really good voluntary participation rate, we think. It was all voluntary, there was nothing mandatory about it. And we are now getting a sense of how many office holders there are in organisations. We clearly understand that there continues to be non-compliance in this area, and as I said before, we're working with organisations to move towards compliance.

This is a huge task, because there are so many rule books, so many different descriptions of offices, even within branches. So it's a very significant task. Just under 70% of organisations voluntarily participated, which was great, and I have to give a shout-out to a number of organisations. I won't name them here, because I haven't told them that I'd do that. But I have to give a shout-out to a number of both employer and employee organisations that went above and beyond what we expected them to do.

The work they did within their own organisations to validate who were officers, and if they'd been trained and when, was really good. And some of those organisations, I know, are listening right now, some people from some of those organisations are listening right now.



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CE Some of the people who I reached out to and personally thanked for that above and beyond participation and extra effort are listening as well. You know who you are. So, again, we really appreciated it, and it just demonstrates again and again that the point that the Commissioner and I and people in my organisation continue to make. We know, we know beyond any shadow of a doubt that most, overwhelmingly, organisations and the people within them want to achieve compliance. What they need is a bit of help, which is one of the reasons we are absolutely committed to helping them.

The audit also revealed some misunderstandings about the requirement. One organisation, for example, who had fallen into non-compliance, their view was, well, if our officers weren't actually involved in making financial decisions right now, then they don't need the training. Well, if an organisation's rules set out the responsibility for an officer who has that responsibility, whether they're actually making those decisions right then and there. They might make them next week or in a month's time. The Act requires them to participate in financial governance training.

That was a bit of an eye-opener for the organisation who had fallen into significant non-compliance. But we worked with that organisation, we're continuing to work with



that organisation, to... They can't achieve compliance once the period has expired, but once they have their officers trained and they do their best endeavours, well, we're moving towards as close to compliance as we can get. That's the whole aim of this audit and the work we're doing, is so we can help organisations and they can learn a bit more about their compliance obligations.



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CE Another organisation, again, as I said, I mentioned, had identified a raft of changes to office holders. We think it's been a really positive experience. There were learnings for us, of course, because we didn't realise how resource-intensive the project was going to be for us. Some organisations said yes, well, we're happy to participate but we just don't have the capacity to do that right now, but we will do so in the future. We were quite willing to work, and are continuing to work with those organisations.

So it's been a very positive experience, I think, all round. Learnings, both for organisations and for us, and again, I've expressed my appreciation and our appreciation for those organisations who participated, because the clarity around that will only help. It's only going to help in the future.

I'll just move back to the question that was asked earlier on, that was touched on, is this financial training. Does this have an expiry date? For example, if you undertook financial training as an elected member of the committee of management six years ago, and have continuously been re-elected without any break, should you undertake the training again at some stage?

Great question, and it's one we get asked a lot.



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CE Our view is that if that question is intended to convey that a person was, and I'll just use an example, elected to the role of president six years ago in an organisation. Undertook the financial governance training within the six-month period, and then that person was re-elected into that same position four years later, for example. That's about as long as you can go without being re-elected, subject to the COVID-19 pandemic. Then our view is there's no requirement. There is no legislative requirement for that person to participate in financial governance training.

The Act says elected to the office, when a person is elected to or takes up the office. So if you're in the same position, the answer is no. The first part of the question, is there an expiry date for financial governance training? Well, no, there isn't. There's no actual expiry date. Common sense applies here. We see applications for exemptions, I mentioned before we had 60 from one organisation a few weeks ago. Some people had received training some three or four years ago, others had received their financial governance training within the last 12 months.



We apply a really pragmatic, common sense approach here, and it all depends. If the training was six months ago or 12 months ago, then, I would describe that as recent, and we take that view. If the training was five years ago, but that person has been performing the role and continues to perform the role, well then, if they've been doing the job they've been trained to do, that's consistency from our perspective. We think that's quite appropriate, whilst there's no expiry date.

However, and lots of organisations, and we think it's terrific, offer refresher training.



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CE That doesn't have to be approved, but if a member participated, we think that's only positive for organisations. And we know organisations are doing this, because they're... I was going to say clever people, but people in organisations understand that the better financially trained people are, the better decisions that are being made. The answer to the question is, is there an expiry date? No, we take a pragmatic and practical, it all depends on the circumstances, response to that.

So hopefully that answers the question. But if that questioner doesn't have a better understanding, or wants to ask some more questions about that, then we're only too happy to do that. I've got to say, these are common questions, about... And I will say finally, that if a person changes office, then our view is, the Act requires them to either undertake training or seek an exemption.

That example I gave about the 60 exemption applications recently, I think almost if not every person, every one of those people, it was more than 60, but let's say it was 60. Every one of those people involved in that had received financial governance training in the past, and they were just moving to, many of them, similar positions. So that's a really key, good example, of when an exemption could be issued, and in fact was issued in those cases.

There are many examples, and if anyone's interested, we've published example letters and decisions that we've made about financial governance training on our website. We'd invite people to go onto our website and have a look at some of those examples.



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CE Again, we're always happy to talk about it if you want to contact us at any stage. We're only too happy to answer. So I'll move on to the next question. The next question that was asked is this. Can you give some guidance about how we can deal with potential conflicts of interest in our organisation? Our committee of management has the power to approve honorariums which are paid to individual committee of management members. We want to avoid perceived or actual conflicts of interest so



that decisions of the committee are fair. So, Bill, could you walk us through how you would respond to that, please?

BS Yes, sure, Chris. Obviously this notion that you're giving yourself a pay rise is something that can have the cause to be problematic, and really there are two ways to approach this. They're both about transparency. First, you could remove the conflict of interest by getting another body, such as the general meeting of members, to make the decision. That way the officers aren't making the decisions involving themselves. Really, it's hard to see how a change in the amount of the fee that committee members get paid is so urgent that it couldn't wait until the general meeting.

Other organisations, so registered clubs, motoring organisations, and so on, do it that way all the time. There's an item on the AGM agenda that says, resolution to increase the fee paid to the directors from \$3000 a year each to \$4000 a year each. So it's certainly a very common practice. However, ultimately, if your organisation decides to keep the decision within the committee of management, then the decision and the reasons for it need to be really clearly justified and properly recorded.



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BS If they involve an individual officer, then that person needs to not participate in the decision. For example, if the committee's got the power to increase the amount paid to the secretary, then the Secretary shouldn't vote on that item, and they shouldn't be present during debate on it.

If, however, it's a fee paid to every committee member, then everyone absenting themselves from the meeting is not an option, because you just can't make any decisions. In those cases, there should be documentation showing why the particular fee is proposed, some background information such as when it was last increased, any restrictions on it, and so on.

And remember that while this is about good governance generally, there are also specific requirements in the legislation about avoiding conflicts of interest, and not making decisions to benefit yourselves over others in the organisation. It's certainly one of the issues that we're always looking at, and no doubt you'll hear more about it in the future.

CE Okay, thanks Bill. Look, there's just a follow-up question in relation to financial governance training, and I'll just read it out directly off the screen. What if the person was President, and then becomes Vice-President at the next election? They are filling a new role, so will they need to re-do the training for the new office position they are filling?



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CE Well, great question, and again, it's a question we continue to get and questions around it. So thank you, to the questioner. The answer is yes. The Act requires that a person with financial management responsibilities who takes up the position is required to participate in approved financial governance training. But in the circumstances where a person was president and then becomes vice-president, that's an example where we would expect to see an application for an exemption, if that's the case.

I'm just reading on the face of it. A person's in a President's role for whatever is it, two, three, four years, and then at the next election they take up the role of the Vice-President. They will be familiar with that organisation, they will understand the financial governance arrangements within an election, they'll be familiar with their responsibilities as an officer. But because the Act says that upon taking up the position, then they need to comply with the Act, and the Act says they need financial governance training or an exemption.

We see many of these types of applications, exemption applications, where people move from one position to another, because we think that's common sense. I keep saying, we take a pragmatic and practical view to everything we do here. That just makes sense to us, and as the delegate, I would expect to deal with that application for an exemption pretty quickly. Taking into account, on the face of that, I don't perceive any difficulty with an application such as that being dealt with very quickly.



00:43:31

CE Again, if we, the ROC, can deal with 60 plus applications for exemptions in circumstances not dissimilar to that example. If we can deal with them in a week and approve them, then I think that will demonstrate to you that we have to be taking a pragmatic and practical approach. I don't say we're going to do that in every case, but in this pandemic environment, we're trying to make every effort we can to assist organisations quickly, so they can get on with doing the business of doing the work that they've been created to do. Assisting their members, recruiting members, doing all their normal roles. So we're trying to do that.

So, look, you'll be pleased to know that they are all the questions. I don't see any more questions on my screen, but if... We've been going for 45 minutes, which is probably long enough for many of you, so if you want to fire away any last questions, we could probably try and deal with them now. But if not, then I'll move on to just the concluding comments about this webinar.

Can I just refer you again to our website for guidance notes around COVID-19? We've got a special banner, like most organisations, on COVID-19, in our education material. We've got over 200 products on our website that we think are designed, and tools, to assist organisations. The next challenge for us, and we've got this ROC Flower that seems to get some really good feedback. So if you've got any questions



about anything, we would encourage you to go into the ROC Flower, and it will tell you where you can find the information.



00:45:32

CE If not, then we'd be more than happy to engage with you. We continue to refer people to our website. A copy of this webinar, and any questions... I just see one more question has popped up, so I'll just turn to that in a moment. But we propose to upload a copy of the webinar and any other questions that either have or do, will come in, as quickly as we can. Everyone in the webinar today will receive an email within a few hours which will include a link to a survey. We really encourage people to complete it.

When we started having our face-to-face workshops a couple of years ago, we committed to changing them in response to the feedback. We had the first one in Parramatta, we changed it for the next one in Melbourne based on the feedback there, and we'll continue to do that in relation to this type of webinar. If the response is, this is not of any great assistance, well, we'll move to something else and see what else we can do to assist. Or if it is, or if people want to have topic-specific type of webinars so we can chat or people can ask questions, either anonymously or however they like, then great.

So we're really keen to get your feedback, and we will respond to it in the same way we've responded to all the feedback we've received about our workshops. So I'll just move to the last question that's been asked. It's again in relation to officer training, and I'll just read it straight off the screen. To be clear, if you move from one office holder position to another office holder position, you need to apply for governance training? Well, let me just be as clear as I can. As soon as you take up an office position in a registered organisation, you need to think about and have a look at what's required in relation to governance training.



00:47:38

CE If you've simply been re-elected to the same position that you held previously, and for which you either received financial governance training or indeed, possibly, had an election, then you won't need to do either of those things. You won't need to participate in further training, or you won't need another exemption if you're in the same office.

If it is a different office, so the question, if you move from one office holder position to another office, let me replace another with different. If you move to from one office holder position to a different office holder position... Let me rephrase it by saying, do you need to apply for an exemption for governance training? The answer is, you need to do one of two things. Either you need to participate in that training again, and



some people choose to do that as a refresher, or you need to apply for an exemption. You must do one of those two things.

So hopefully that will have answered that question. But again, to the questioner, if it's not clear enough, then please feel free to contact me. Joanne Fenwick, at the ROC, deals with our exemptions for the most part and... I could wax lyrical about this all day. I'm happy to talk about it and refer you to some of our guidance notes and information about it.

Again, we're just about 50 minutes now. I don't see any further questions on my screen, so what I'll do is again thank you sincerely. The attendance at this chat has been fantastic.



00:49:17

CE It's new, the technology, I'm not sure your views about it. We'd be really interested if there's a better way or a different way, or if there's any particular topics we can assist you by covering in the future, then we'd love to hear about it. I'll hopefully be able to reintroduce ten minutes into your daily diaries by concluding the online discussion.

On behalf of the commissioner of the ROC and the team who have joined me today, thank you to the team who prepared some responses to the questions that have been asked. Again, don't hesitate to ask any further questions, and we will endeavour to deal with them as quickly as possible. So it is 11:50 for the purposes of the record, and I will now formally conclude the ROC's first online website discussion. Thank you very much.



00:50:28

Disclaimer: Please note that the multimedia file of our online panel discussion has not been edited and the event was conducted live. This transcript is also unedited. The information contained in the recording is general information only.