**Checklist CL 010** | 11 April 2024

# Requirements for Approved Training under section 293L of the *Fair Work (Registered Organisations) Act 2009*

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| **caseHQ Number:** |  | **Action Officer:** |  |
| **Provider Name:** |  | **Lodgement Date:** |  |

**NOTE:** Where participant’s are from the one organisation, training should be tailored to that organisation.

| **Overview of expected training content** | | |
| --- | --- | --- |
|  | **Yes/ No/ n/a** | **Comments** |
| 1. **Overview** |  |  |
| Why do I need to undertake this training? (include section 293K of RO Act) | Select |  |
| RO Act governs registered organisations | Select |  |
| What is a registered organisation? | Select |  |
| The role of the Fair Work Commission in relation to registered organisations | Select |  |
| 1. **Importance of good governance** |  |  |
| What is governance? (explanation/definition) | Select |  |
| Why is good governance needed? | Select |  |
| Good governance practices | Select |  |
| Examples of poor governance (in registered organisations and public companies) | Select |  |
| 1. **Legislative and rule framework** |  |  |
| Key registered organisation concepts:  section 6 – organisation  section 242 – reporting unit  section 243 – designated officer | Select |  |
| What is an office (section 9) and what is an officer (section 6)? | Select |  |
| Typical roles within a registered organisation (President, Secretary, Treasurer, Committee of Management etc.) | Select |  |
| Sources of officers’ duties and obligations (RO Act, RO Regs, Organisation Rules) | Select |  |
| Officers’ duties, obligations and consequences if breached (section 285, section 286, section 287, section 288, section 290A). | Select |  |
| Ignorance of the law is not a defence.  However,   * Reasonable judgment rule – section 285(2) * Acts required to be taken under statute - section 290 * Reliance on others – section 292 * Delegated authority – section 293 * Relief from liability – section 315   [Ref. the Commission Duties of officers Fact Sheet] | Select |  |
| 1. **Conflict of interest** |  |  |
| What is conflict of interest? | Select |  |
| How conflict of interest should be managed? (section 293E, section 293F) | Select |  |
| Examples/case studies | Select |  |
| 1. **Financial management** |  |  |
| What is financial management? | Select |  |
| Policies relating to expenditure (section 141(1)(ca)) & loans, grants and donations (section 149) | Select |  |
| Financial policies & procedures to be in place and followed (refer to officer duties under section 285). Examples of financial policies & procedures. | Select |  |
| Keep proper financial records (section 252) | Select |  |
| Financial report to be lodged with the Commission (section 253(2), section 254, section 265, section 268, section 255(2A)). Explanation of the ‘full report’ section 265 and certificate of the prescribed designated officer section 268(c). | Select |  |
| Timeline for preparing and lodging financial report.  Ref. Fact Sheet FS 008 ‘Summary of Financial reporting timelines’. | Select |  |
| What other information needs to be lodged with the Commission?   * Loans, grants & donations statement – section 237 * Annual returns - section 233(1) * Notification of changes – section - 233(2) * Prescribed information for elections – section 189 * Officer & related party disclosures – section 293J * Approval of training material – section 293L | Select |  |
| 1. **Financial process** |  |  |
| Understanding accrual accounting (include simple examples).  (Ref. the Commission ‘Guide to Understanding Financial Statements’) | Select |  |
| Understanding budgets, assets, liabilities – include simple examples  (Ref. the Commission ‘Guide to Understanding Financial Statements’) | Select |  |
| Understanding financial statements – explain role of each statement  (Ref. the Commission ‘Guide to Understanding Financial Statements’) | Select |  |
| Explanation of the General Manager’s model financial statements | Select |  |
| Reporting guidelines – section 255 | Select |  |
| Financial statement items to watch  (Ref. the Commission ‘Guide to Understanding Financial Statements’) | Select |  |
| 1. **Auditors** |  |  |
| Powers and duties of auditors (section 257) | Select |  |
| Requirement to assist auditors (section 258) | Select |  |
| Registration of auditors (Chapter 8 Part 3 Div 4 - Subdivision A) | Select |  |
| Time limitations for auditors (section 256A) | Select |  |
| Auditor’s role versus accountant’s role | Select |  |
| 1. **Consequences of non-compliance** |  |  |
| The Commission’s powers – inquiries and investigations  (Chapter 11, Part 4)   * section 330 – General Manager may make enquiries * section 331 – General Manager may conduct investigations * section 332 – Investigations arising from auditor’s report * section 333 – Investigations arising from request from members * section 334 – Investigation arising from referral to the General Manager under section 278 | Select |  |
| Civil penalties, compensation order, etc. (Chapter 10, Part 2) | Select |  |
| Criminal offences (section 290A) | Select |  |
| 1. **Officer & related party disclosures** |  |  |
| Section 293 disclosures | Select |  |
| Disclosure by officers of remuneration (section 293B,  section 293BA, section 293BB) | Select |  |
| Disclosure by organisations/branches of certain remuneration (section 293BC) | Select |  |
| Disclosure by officers of material personal interests (section 293C, section 293D, section 293F) | Select |  |
| Related party transactions (section 9B) | Select |  |
| Examples/case studies | Select |  |
| 1. **Evaluation** |  |  |
| Assessment of each participant is required on completion of training | Select |  |
| Assessment should demonstrate an understanding of: | | |
| The importance of good governance | Select |  |
| The RO Act | Select |  |
| The importance of rules and policies | Select |  |
| The importance of good financial management | Select |  |
| The individual financial statements making up the full financial report | Select |  |
| The consequences of non-compliance | Select |  |
| How to apply learning to practical and real-life scenarios | Select |  |
| Assessment must meet the following criteria: | | |
| Minimum 80% pass mark | Select |  |
| Minimum 20 questions designed to test learning | Select |  |
| Multiple choice questions must be sufficiently refined to test understanding | Select |  |
| Describe the method(s) of training delivery (e.g. face to face, video conferencing, on-line computer based etc.) | Select |  |
| Identify whether the training is generally available OR limited to a specific target audience | Select |  |

**For internal use only (click on arrow to show more):**

|  |  |
| --- | --- |
| Training package and letter approving/not approving training checked |  |
| Recorded as ‘Assessed’ in caseHQ (attach draft checklist) |  |
| Training package & letter approving/not approving training sent to delegate |  |
| Delegate’s decision recorded in caseHQ |  |
| ‘Result’ recorded in caseHQ |  |
| If approved, added to list of approved training on the Commission website |  |
| Matter ‘Closed’ in caseHQ (attach FINAL Checklist) |  |

**Date:** Click or tap to enter a date.