



*INDUSTRIAL RELATIONS COURT OF
AUSTRALIA*



ANNUAL REPORT 2000-01

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INTRODUCTION BY THE CHIEF JUSTICE

On 25 May 1997 the jurisdiction of the Industrial Relations Court of Australia (except in relation to part heard cases) was transferred to the Federal Court of Australia, along with the Court's assets and remaining staff. The Court, however, remains in existence and its annual reporting obligations continue whilst it has proceedings awaiting disposal.

Murray Wilcox
Chief Justice

THE JUDGES

During 1900-01 there were no changes in the judges constituting the Court. They are:

The Honourable Chief Justice Murray Rutledge Wilcox
Period in office 30/3/94 –

The Honourable Justice Jeffrey Ernest John Spender
Period in office 30/3/94 –

The Honourable Justice Peter Ross Awdry Gray
Period in office 30/3/94 –

The Honourable Justice Donnell Michael Ryan
Period in office 30/3/94 –

The Honourable Justice Malcolm Cameron Lee
Period in office 30/3/94 –

The Honourable Justice John William von Doussa
Period in office 30/3/94 –

The Honourable Justice Michael Francis Moore
Period in office 30/3/94 –

The Honourable Justice Shane Raymond Marshall
Period in office 17/7/95 –

The Honourable Justice Anthony Max North
Period in office 19/9/95 –

The Honourable Justice Rodney Neville Madgwick
Period in office 20/9/95 –

JUDICIAL REGISTRARS

As at 30 June 2001, no person held office as a Judicial Registrar of the Court. The terms of office of all the remaining Judicial Registrars expired during the previous reporting year

REGISTRY SUPPORT

As from 25 May 1997 the Court has not had its own Registry. All Registry services have been supplied by the Federal Court of Australia, to whose Chief Justice and personnel the Court extends its appreciation.

MATTERS FINALISED IN 2000-2001

State or Territory	<i>Pending 1 July 2000</i>	Finalised in 2000- 2001	Pending 30 June 2001
ACT	0	0	0
NSW	3	1	2
NT	0	0	0
QLD	2	2	0
SA	0	0	0
TAS	0	0	0
VIC	3	2	1
WA	0	0	0
<i>TOTALS</i>	8	5	3

FREEDOM OF INFORMATION

FUNCTIONAL STATEMENT IN ACCORDANCE WITH SECTION 8 OF THE FREEDOM OF INFORMATION ACT

The Industrial Relations Court of Australia was established by the Industrial Relations Reform Act 1993. The Court became operational on 30 March 1994.

The Reform Act repealed Part 111 of the Industrial Relations Act 1988, and moved the industrial relations jurisdiction from the Federal Court. The Reform Act added a new Part XIV to the Industrial Relations Act and dealt with the constitution, management and jurisdiction of the new Court.

The Court was conferred with original and appellate jurisdiction. It is a superior court of record and a court of law and equity with status equal to that of the Federal Court and Family Court.

The Workplace Relations and Other Legislation Amendment Act 1996 made substantial changes affecting the Court which took effect on 25 May 1997. Specifically it

- Repealed Divisions 1,2, 3, 4, 5, 7, 9 and 10 of Part XIV and amended Divisions 5 and 8 of that Part which concerned the establishment, management and jurisdiction of the Court.
- Redefined “Court” to refer to the Federal Court instead of the Industrial Relations Court.
- Transferred most of the Court’s pending matters to the Federal Court other than those where a substantive hearing had started.
- Preserved the appointments of the Court’s judges and judicial registrars and conferred on those judicial registrars additional appointments as judicial registrars of the Federal Court. All of the Court’s judges were already active members of the Federal Court.

The Court remains in existence until a day to be fixed by Proclamation after which no person holds office as a judge of the Industrial Relations Court of Australia.

ADDITIONAL INFORMATION ABOUT THE COURT

In line with attachment 3 of the Requirements for Departmental Annual Reports of March 1994 (updated March 1997) the following information is available on request by contacting the Court directly.

- Portfolio legislation and statutory authorities: Not applicable.
- Non-statutory bodies: Not applicable.
- Government companies: Not applicable.
- Social justice and equity: The Court’s activities have been limited to finalising court hearings.
- Staffing matters and performance pay, Equal employment opportunity, Training, Interchange programs: The Court employed no staff in the year under review.
- Financial matters: See the annexed financial statements
- Consultancy services: Not applicable.
- Property usage: No property was held by the Court in the year under review.
- Reports from the Auditor-General: No reports received.
- Inquiries by Parliamentary Committees: Not applicable.
- Comments by the Ombudsman: None received.
- Decisions of Courts and Tribunals: Nothing significant to report.

- Privacy: No reports received.
- Business Regulations: Not applicable.
- Environmental matters: Not applicable.

CATEGORIES OF DOCUMENTS AVAILABLE

The Industrial Relations Court of Australia holds a range of documents that are now under the control of officers of the Federal Court of Australia.

The Court's rules govern access to certain documents held by the Court in relation to actions filed. Order 15 of the rules relate to discovery and inspection of documents. Rule 17 of Order 15 refers to withholding of any document in the public interest. Rule 18 of Order 15 refers to documents which become part of the public record. Also, transcripts of Court proceedings are available at a cost from Auscript.

Documents held by the Court:

- Case files comprising all documents filed (formal applications, subpoenas, affidavits, copies of orders)
- A computerised recording system in each Federal Court registry recording all proceedings of the Industrial Relations Court commenced and completed in that registry.
- Statistical information gathered by court personnel about claims filed.
- Documents concerning financial aspects of the operations of the Court and registries.
- Documents concerning administrative procedure of the Court.
- Documents concerning policy of the Court.
- Documents recording matters listed for directions, hearings and mediations for a given date.

FREEDOM OF INFORMATION AND CONTACT OFFICER

Inquiries about matters determined by the Court or pending before it may be referred to the relevant District Registrar of the Federal Court of Australia. Details of those registries are in **appendix A** and are also available via the Federal Court's Internet home page at www.fedcourt.gov.au

Inquiries about this annual report is available by contacting:

Deputy Registrar
Federal Court of Australia
Law Courts Building
Queens Square
Sydney NSW 2000

Telephone: 02 9230 8341

Facsimile: 02 9223 1906
e-mail: refer to the e-mail facility on the Court's Internet home page at
www.fedcourt.gov.au

APPENDIX A – DIRECTORY OF FEDERAL COURT DISTRICT REGISTRIES

Australian Capital Territory District Registry

Childers Street
Canberra City ACT 2601
Phone: (02) 6267 0566
Fax: (02) 6267 0625
TTY: (02) 6267 0537
E-mail: actman@fedcourt.gov.au
Counter Hours: 10am-1pm; 2pm-4pm
Contact Hours: 8.15am-5.30pm

New South Wales District Registry

Level 16 Law Courts Building
Queens Square
Sydney NSW 2000
Phone: (02) 9230 8567
Fax: (02) 9230 8535
TTY: (02) 9230 8270
E-mail: nswdr@fedcourt.gov.au
Counter Hours: 9.00am-4.00pm
Contact Hours: 8.30am-5.00pm

Northern Territory District Registry

Level 1 TCG Building
80 Mitchell Street
Darwin NT 0800
Phone: (08) 8941 2333
Fax: (08) 8981 6081
TTY: (08) 8982 0838

E-mail: ntreg@fedcourt.gov.au
Counter Hours: 9.30am-4.00pm
Contact Hours: 8.15am-5.30pm

Queensland District Registry

Level 6 Commonwealth Law Courts
119 North Quay
Brisbane QLD 4000
Phone: (07) 3248 1100
Fax: (07) 3248 1260

TTY: (07) 3248 1272
E-mail: qldreg@fedcourt.gov.au
Counter Hours: 9.00am-4.00pm
Contact Hours: 8.30am-5.00pm

South Australia District Registry

8th Floor Grenfell Centre
25 Grenfell Street
Adelaide SA 5000
Phone: (08) 8205 4436
Fax: (08) 8205 4439
TTY: (08) 8205 4416
E-mail: sareg@fedcourt.gov.au
Counter Hours: 9.00am-4.00pm
Contact Hours: 8.30am-5.00pm

Tasmania District Registry

Commonwealth Law Courts Building
39-41 Davey St
Hobart TAS 7000
Phone: (03) 6232 1715
Fax: (03) 6232 1701
TTY: (03) 6232 1865
E-mail: tasreg@fedcourt.gov.au
Counter Hours: 8.30am-5.00pm
Contact Hours: 8.30am-5.15pm

Victoria District Registry

305 William Street
Melbourne VIC 3000
Phone: (03) 8600 3333
Fax: (03) 8600 3281
TTY: (03) 9670 0320
E-mail: vicreg@fedcourt.gov.au
Counter Hours: 9.00am-4.30pm
Contact Hours: 8.15am-5.15pm

Western Australia District Registry

Level 6 Commonwealth Law Courts
1 Victoria Avenue
Perth WA 6000
Phone: (08) 9268 7100
Fax: (08) 9221 3261
TTY: (08) 9325 7053

E-mail: waregistry@fedcourt.gov.au
Counter Hours: 8.30am-4.00pm
Contact Hours: 8.15am-5.15pm



INDEPENDENT AUDIT REPORT

To the Attorney-General

Scope

I have audited the financial statements of the Industrial Relations Court of Australia for the year ended 30 June 2001. The financial statements comprise:

- Statement by the Deputy Registrar, Federal Court of Australia;
- Statement of Financial Performance; and
- Notes to and forming part of the Financial Statements.

The Deputy Registrar is responsible for the preparation and presentation of the financial statements and the information they contain. I have conducted an independent audit of the financial statements in order to express an opinion on them to you.

The audit has been conducted in accordance with Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards, to provide reasonable assurance as to whether the financial statements are free of material misstatement. Audit procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial statements, and the 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 statements are presented fairly in accordance with Australian Accounting Standards, other mandatory professional reporting requirements and statutory requirements so as to present a view of the Industrial Relations Court of Australia which is consistent with my understanding of its operations.

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

PO Box A456 Sydney South NSW 1235
130 Elizabeth Street
SYDNEY NSW
Phone (02) 9367 7100 Fax (02) 9367 7102

Audit Opinion

In my opinion,

- (i) the financial statements have been prepared in accordance with Schedule 1 of the Financial Management and Accountability (Financial Statements 2000-2001) Orders;
- (ii) the financial statements give a true and fair view, in accordance with applicable Accounting Standards, other mandatory professional reporting requirements and Schedule 1 of the Financial Management and Accountability (Financial Statements 2000-2001) Orders, of the operations of the Industrial Relations Court of Australia for the year ended 30 June 2001.

Australian National Audit Office



Paul Hinchey
Senior Director

Delegate of the Auditor-General
Sydney
7 September 2001

INDUSTRIAL RELATIONS COURT OF AUSTRALIA
Statement by Deputy Registrar, Federal Court of Australia

In my opinion, the attached financial statements give a true and fair view of the matters required by Schedule 2 to the Finance Minister's Orders made under section 63 of the *Financial Management and Accountability Act 1997*.

Signed.....

Alan Dawson
Deputy Registrar, Federal Court of Australia

7 September 2001.

APPENDIX B – FINANCIAL STATEMENTS

**INDUSTRIAL RELATIONS COURT OF
AUSTRALIA**
STATEMENT OF FINANCIAL PERFORMANCE
for the year ended 30 June 2001

	Notes	2000-01 \$	1999-00 \$
Revenues from ordinary activities			
Revenues from government	3	<u>66,495</u>	<u>256,451</u>
<i>Total revenues from ordinary activities</i>		<u>66,495</u>	<u>256,451</u>
Expenses from ordinary activities			
Judges and employees	4.1	34,780	132,177
Suppliers	4.2	29,666	116,127
Depreciation and amortisation	4.3	2,035	7,893
Disposals of assets	4.4	14	254
<i>Total expenses from ordinary activities</i>		<u>66,495</u>	<u>256,451</u>
Net operating surplus/(deficit) from ordinary activities		<u>-</u>	<u>-</u>
Net surplus/(deficit) attributable to the Commonwealth		-	-
Total changes in equity other than those resulting from transactions with owners as owners		<u>-</u>	<u>-</u>

The above statement should be read in conjunction with the accompanying notes.

INDUSTRIAL RELATIONS COURT OF AUSTRALIA
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
for the year ended 30 June 2001

Note	Description
1	Objectives of Industrial Relations Court of Australia
2	Summary of Significant Accounting Policies
3	Operating Revenues
4	Operating Expenses
5	Remuneration of Auditors
6	Act of Grace Payments and Waivers

NOTE 1: OBJECTIVES OF INDUSTRIAL RELATIONS COURT OF AUSTRALIA

The Industrial Relations Court of Australia (the Court) was established on 30 March 1994 to serve the interests of the Australian community by providing for the just and equitable administration of justice in all matters within the Court's jurisdiction. Legislation passed by Federal Parliament in late November 1996, specifically Schedule 16 of the Workplace Relations and Other Legislation Amendment Act 1996 (WROLA), provided for the jurisdiction previously exercised by the Court to be transferred to the Federal Court of Australia (FCA) on 25 May 1997. Despite the transfer of the jurisdiction to the Federal Court of Australia the Court continues to have jurisdiction over certain proceedings already commenced in the Court at transfer date.

NOTE 2: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

(a) Basis of Accounting

The financial statements are required by s. 49 of the *Financial Management and Accountability Act 1997* and are a general purpose financial report.

The statements have been prepared in accordance with:

- Schedule 1 to the Financial Management and Accountability (Financial Statements 2000-01) Orders made by the Finance Minister for the preparation of the Financial Statements in relation to the financial year ending on 30 June 2001;
- Australian Accounting Standards and Accounting Interpretations issued by Australian Accounting Standards Boards;
- other authoritative pronouncements of the Boards; and
- the Consensus Views of the Urgent Issues Group.

The statements have been prepared having regard to:

- Statements of Accounting Concepts; and
- The Explanatory Notes to Schedule 1 and Guidance Notes issued by the Department of Finance and Administration.

The financial statements have been prepared on an accrual basis and are in accordance with historical cost convention.

As a result of the transfer of jurisdiction, the Court's assets and liabilities were also transferred to the Federal Court of Australia. Consequently, the Court applied for and received an exemption pursuant to clause 3.1 of Schedule 1 to the Financial Management and Accountability (Financial Statements 2000-01) Orders from the requirement to prepare the following statements:

- Statement of Financial Position;
- Statement of Cash Flows;
- Schedule of Commitments; and
- Schedule of Contingencies.

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(b) Appropriations

The Court does not receive any appropriations from Government. Under the *Workplace Relations and Other Legislation Amendment Act 1996* the Federal Court of Australia provides resources to the Court to complete ongoing cases. (Refer to note 3 – Resources received free of charge).

(c) Comparative Figures

Where necessary, comparative figures have been adjusted to conform with the changes in presentation in these financial statements.

(d) Resources Received Free of Charge

The Court’s revenue and expenses are those items that are required by the Court for the completion of its outstanding case work (see note 1). Revenue (Resources Received Free of Charge) and expenses have been derived in accordance with the methodology set out below.

The methodology used to derive the resources received free of charge was changed from the 1999-00 financial year. Due to the small number of uncompleted matters remaining, all Federal Court expenditure is apportioned to the Industrial Relations Court using a formula based on completed matters.

(e) Administered items

Following the transfer of jurisdiction to the Federal Court of Australia, the Court is no longer responsible for any administered items.

NOTE 3: OPERATING REVENUES

3.1: Revenues From Government	2000-01	1999-00
	\$	\$
Resources received free of charge	<u>66,495</u>	<u>256,451</u>
Total	<u><u>66,495</u></u>	<u><u>256,451</u></u>

All resources received free of charge were provided by the Federal Court of Australia and have been recognised in the Operating Statement (see Note 2e)

NOTE 4: OPERATING EXPENSES

Operating expenses are calculated in accordance with the methodology set out in Note 2 (e).

4.1: Judges and Employees Expenses	2000-01	1999-00
	\$	\$
Remuneration	<u>34,780</u>	<u>132,177</u>
Total	<u><u>34,780</u></u>	<u><u>132,177</u></u>
4.2: Suppliers Expenses	2000-01	1999-00
	\$	\$
Supply of goods and services	<u>17,064</u>	<u>65,129</u>
Operating lease rentals	<u>12,602</u>	<u>50,998</u>
Total	<u><u>29,666</u></u>	<u><u>116,127</u></u>
4.3: Depreciation and Amortisation	2000-01	1999-00
	\$	\$
Leasehold improvements	<u>524</u>	<u>1,990</u>
Plant and equipment	<u>1,319</u>	<u>5,512</u>
Computer Software	<u>192</u>	<u>391</u>
Total	<u><u>2,035</u></u>	<u><u>7,893</u></u>
4.4: Disposals of Assets	2000-01	1999-00
Non-financial assets:	\$	\$
Leasehold improvements	-	16
Plant and equipment	<u>14</u>	<u>238</u>
Total	<u><u>14</u></u>	<u><u>254</u></u>

NOTE 5: REMUNERATION OF AUDITORS

The 1999-00 and the 2000-01 audit fees for services provided by the Australian National Audit Office were borne by the Federal Court of Australia.

NOTE 6: ACT OF GRACE PAYMENTS AND WAIVERS

No Act of Grace payments were made during the reporting period.

No waivers of amounts owing to the Commonwealth were made pursuant to section 34(1) of the *Financial Management and Accountability Act 1997*.