**Checklist CL 006B** | 17 January 2024

# Annual Return primary checklist – for an organisation without Branches (RO Act section 233)

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| **caseHQ Number for AR Matter** | | AR2024/ | |
| **Action Officer** |  | **Organisation Name** |  |
| **Org. Code** |  | **Lodgement Date** |  |
| **KPI date for the assessment of the Annual Return**  **Note: The Annual Return must be assessed within 40 working days of lodgement (KPI)** | | |  |

**Instructions for internal the commission use only (click on arrow to show more)**

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| --- |
| Y = information is present and correct  N = information is present but incorrect OR information is not present but should be  na = not applicable  Y/N/na or Y/N = not yet considered |
| **DO NOT PROCESS NOCS IN RELATION TO THIS ANNUAL RETURN UNTIL AFTER THE ANNUAL RETURN HAS BEEN FILED** |

| **Lodgement** | |
| --- | --- |
| Date stamp affixed or email with date | **Y/N** |
| Lodged on or before 31 March 2024 in accordance with regulation 149 | **Y/N** |
| If late, how many days late? | **No. of days/n/a** |
| If late, advise a compliance manager and change to an advanced review | **Y/N/n/a** |

**For internal use only (click on arrow to show more): Steps for changing to advanced review**

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| make sure that a compliance manager agree that this AR should be changed to an advanced review | **Y/N/na** |
| advise risk assessment administrator that it has changed and ensure the five year risk assessment plan is updated | **Y/N/na** |
| enter ‘risk based assessment’ with event performed ‘advanced review’ on caseHQ | **Y/N/na** |
| delete the ‘risk based assessment’ with event performed ‘primary review’ | **Y/N/na** |
| either change to the advanced-review checklist OR re-allocate to another action officer | **Y/N/na** |

**For internal use only (click on arrow to show more): Update caseHQ and the website**

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| **In this section:**  **Y = information is correct in caseHQ and on the website OR the information was incorrect but has been corrected**  **N = information in caseHQ or on the website is incorrect and has not been corrected** | |
| Check Total Membership Numbers is recorded in caseHQ on edit screen on the box called ‘Total membership’ | **Y/N** |
| Check AR has been uploaded to the website (if not already on the website – redact private information, OCR, optimise and upload) | **Y/N** |
| Check that the matter history in caseHQ has a ‘Risk Based Assessment’ event with ‘Primary Checklist’. If not, check with the risk assessment administrator whether this is a Primary Review and then enter ‘Risk Based Assessment’ with appropriate event performed on caseHQ. If an advanced review, ask risk assessment administrator whether should remain allocated to you. If so, change to the Advanced Review checklist. If not, reallocate to another action officer. | **Y/N** |
| Make sure caseHQ correctly records the **key office holders**:  Secretary  Assistant Secretary  President  CEO or Executive Director (if an officer)  Update the relevant office holders on caseHQ by:  deleting previous office holder from the list of related entities of the org/branch  adding new office holder as a related entity of the org/branch  make sure you save the changes by selecting ‘save’ on the entity | **Y/N** |
| Make sure caseHQ correctly records **the primary contact**:  make sure the primary contact’s relationship to organisation is entered as ‘primary contact’  if someone else is listed as the primary contact, change the relationship of that person to ‘contact’, unless you know they are definitely no longer associated with the organisation. In this case delete as a related entity.  make sure you save these changes by selecting ‘save’ on the entity  make sure the new primary contact’s preferred email address is the org’s preferred email address:  select ‘preferred contact’ in the relevant email address details on the new primary contact’s entity details, or you may need to create a new email address and select ‘preferred contact’  if there is already a preferred, but different, email address, UNCHECK ‘preferred contact’ on this old email address, but do NOT inactivate the old email address  check whether the previous primary contact is the contact for any open the commission matters  if so, change the contact details on the matter to the new office holder for those matters, UNLESS it is an I matter  if it is an I matter advise the relevant action officer that the primary contact for this organisation has changed | **Y/N** |
| Make sure caseHQ correctly records **the address of the organisation:**  if the address has changed, ‘add’ the new address on caseHQ by selecting ‘add’ in the address field  enter the ‘effective date’ which is the date of commencement of the new address  ‘inactivate’ the old address of the org/branch on caseHQ  enter the ‘effective date’ which is the date the old address ceased  make sure you save the changes by selecting ‘save’ on the entity  if there is an open I matter, advise the relevant action officer | **Y/N** |
| If the Annual Return states that **a branch has been created**, check whether the branch is an entity on caseHQ. If not:  confirm with the compliance manager to create the new branch  create the new branch as an entity on caseHQ  the org code must start with the code of the organisation and must be in the format ‘NNNL-LLL’ where N=a number and L=a letter  make sure it has a primary contact  make sure it is a related entity of the organisation (relationship = Branch)  check whether the description of the organisation on our website needs to change, and if it does, change it  ensure the branch name is an available option when loading documents to the web  ensure the branch code is an available option when loading documents to the web  stop using this checklist and instead use the checklist for organisations with Branches | **Y/N/n/a** |
| If the Annual Return states that **a branch has ceased**, check whether the branch has been inactivated on caseHQ. If not:  confirm whether to cancel the branch with the compliance manager  cancel the branch entity on caseHQ  check whether the branch is a party to any open matters, and if so consider whether the matter should be closed or remain open  if there is an open I matter, advise the relevant action officer  delete the branch as related entity of the organisation  check whether the description of the organisation on our website needs to change, and if it does, change it  remove the branch code from the list of options when loading documents to the web | **Y/N/n/a** |
| You are using this checklist because this AR does not list any branches. Check caseHQ and our website to ensure that there are no branches listed.  Y = the information is correct, i.e. caseHQ and the website do NOT list branches and the AR does not list branches  N = caseHQ or the website lists branches but the AR does not list any branches | **Y/N** |
| If branches are listed in caseHQ, and/or on the website but none in the AR, bring this to the attention of a compliance manager. There will need to be an analysis of the rules to ascertain whether our records are incorrect or the AR is incorrect  If we conclude that our records are incorrect, update our records as per instructions above for cessation of a branch  If we conclude that the AR is incorrect, discuss with a compliance manager whether this should be changed to an advanced review  If changed to an advanced review, follow the steps above for changing to advanced review | **Y/n/a** |
| Consider whether there are any other issues which affect our records in caseHQ, e.g. a different name of the organisation. If so consult with the compliance manager prior to making any changes.  **NEVER CHANGE THE NAME OF AN ORGANISATION OR BRANCH WITHOUT CONFIRMING WITH THE COMPLIANCE/EDUCATION AND REPORTING MANAGER** | **Y/N/N/A** |

| **Are there any queries, inquiries or investigations relating to this organisation?** | |
| --- | --- |
| Are there any open Qs/INQs/INVs relating to this organisation? If so: | **Y/N** |
| Discuss with a compliance manager whether assessment should be changed to an advance review and re-allocated to the action officer of the Q/INQ/INV | **Y/N/na** |
| File note discussed with compliance manager | **Y/N/na** |
| If changed to an advanced review, follow the steps above for changing to advanced review | **Y/N/na** |
| Discuss with compliance manger whether **next year’s AR** should be an advance review. If so:   * advise the risk assessment administrator and update the five-year risk assessment plan | **Y/N/na** |

| **List issues raised in last year’s AR**  **(add more rows if needed)** | **Has the issue been corrected in this year’s AR?** |
| --- | --- |
|  | **Y/N/n/a** |
|  | **Y/N** |
|  | **Y/N** |

| **Declaration** | | |
| --- | --- | --- |
| Name and position of **officer** signing: |  | |
| Statement signed by secretary or prescribed officer [see regulation 150] | | **Y/N** |
| Register of members has been kept and maintained during preceding year as required by section 230(1)(a) and section 230(2) [see section 233(1)(a)] | | **Y/N** |
| Copy of records lodged is correct statement of information contained in those records [see section 233(1)(b)] | | **Y/N** |

| **Information required by section 230 and regulation 147** | |
| --- | --- |
| A list of offices in the organisation at the time of signing the declaration [section 230(1)(b)]  **NOTE: Offices must be elected and usually include all members of Boards, Committees, Councils and Conferences (except for advisory bodies). Vacant offices should be included.** | **Y/N** |
| A list of the names, postal addresses & occupations of persons holding office at the time of signing the declaration [section 230(1)(c)]  **NOTE: Annual returns of information are published on our website. The Commission recommends that the organisation keep on its records an address that is NOT private, for example the address of the organisation or a PO Box.** | **Y/N** |

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

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| --- | --- |
| Record file note assessed and upload checklist completed to this point on the AR matter | **Y/N** |

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

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| Enter the Compliance data on the front edit screen of the AR  (and also record whether an election is due this year)  All dark green boxes are Y or na then compliance = yes  Any dark green boxes are N then compliance = No  Compliance is a measure of **initial compliance** (how well the organisation did *before* we stepped in). If the organisation was able to rectify some issues and is ultimately compliant this does not change the initial compliance measure. We are recording how well organisations are improving over time with initial compliance. | **Y/N** |
| If compliance = No, discuss with a compliance manager whether **next year’s** AR should be an advanced review. If so:  advise the risk assessment administrator and update the five-year risk assessment plan | **Y/N/na** |

| **Do NOT file if** | **Y = do not file issue**  **N = no issue** | |
| --- | --- | --- |
| Issues raised in last year’s Annual Return have been repeated | | **Y/N/n/a** |
| Check with experienced action officer or compliance manager | | **Y/N/n/a** |

| **If third or more time that a specific issue has been repeated** | |
| --- | --- |
| If third time or more that a specific issue has been repeated:  advise a compliance manager | **Y/N/n/a** |
| if compliance manager decides to commence a Q/INQ or INV filenote as ‘referred to compliance’ and link to the matter in the ‘related matters’ field  consider whether this AR should be re-allocated to the action officer responsible for the Q/INQ/INV matter  if a new matter NOT created, file note discussion with compliance manager as ‘file note’ ‘file note’  consider whether the risk assessment below should be changed | **Y/N/n/a** |
| discuss with a compliance manager whether to change to advanced review  If changed to an advanced review, follow the steps above for changing to advanced review |  |
| discuss whether **next year’s** AR should be an advanced review. If so:  advise the risk assessment administrator and update the five-year risk assessment plan | **Y/N/n/a** |

| **Actions sought** |
| --- |
| Action sought (if any) |

| **Resolving the do *not* file issues** | |
| --- | --- |
| Resolve the ‘do not file’ issues | |
| Can they be resolved by phone? If so, call and record in caseHQ as ‘File note’ with event performed ‘Action Sought’ | **Y/N/na** |
| If cannot be resolved by phone, prepare letter or email | **Y/N/na** |
| Letter to organisation seeking further information/action checked and sent | **Y/N/na** |
| Record the letter sent in caseHQ as ‘Document Sent’ with event performed ‘Action Sought’ | **Y/N/na** |
| Ensure subsequent discussions are recorded in caseHQ as ‘Consultation’ ‘discussion regarding compliance’ | **Y/N/na** |
| Ensure subsequent documents received or sent are recorded in caseHQ as document received or document sent | **Y/N/na** |
| **Comments:** |  |

**For internal use only (click on arrow to show more): Processing when issues resolved**

|  |  |
| --- | --- |
| In caseHQ record either ‘Document Received’ ‘sought action completed’ OR ‘File Note’ ‘sought action completed’ (whichever relevant) | **Y/N/na** |

| **Risk assessment** | |
| --- | --- |
| All ‘do not file’ issues should have been resolved by now. If so, the risk assessment is response level one, as set out below. If issues have NOT been resolved, the risk assessment will have a different response level. In this case discuss with a compliance manager | |
| Having regard to the commission risk-based framework, the recommended response level and option is?  Static Risk: High  Dynamic Risk: Satisfied  Response Level: One  Response Option: File Annual Return | Having regard to the commission risk-based framework, the recommended response is level one and the recommended response option is to file the Annual Return. |

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

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| Actions resolved | | **Y/N/n/a** |
| Acknowledgement letter to organisation prepared (via caseHQ template) and checked  Use template: ‘AR Primary Review Acknowledgement’ | | **Y/N** |
| Select the relevant paragraphs for your letter | | **Y/N** |
| Dispatch through caseHQ OR send via outlook and upload to matter history as event category ‘document sent’ and event type ‘acknowledgement letter’ | | **Y/N** |
| Resulted in caseHQ – ‘Return filed’ | | **Y/N** |
| The AR will have already been uploaded to the website. If an amended AR has been lodged, remove the first AR from the website and replace with the amended AR.  Add the filing letter and **ONLY** important correspondence, e.g. no emails unless they contain important information. If you decide to include an email, double check that there is NO private information. | | **Y/N** |
| Documents checked for any private material to be redacted and redact if appropriate (if unclear, seek advice from a compliance manager) | | **Y/N** |
| Save the document as a pdf, making sure you name it in accordance with the required naming convention:  only lower case and hyphens  no spaces, or strange characters  The naming convention is: code-file-name.pdf, for example: 188v-ar2024-142.pdf | | **Y/N** |
| OCR and optimise the document | | **Y/N** |
| Upload to website | | **Y/N** |
| Updated and final checklist attached to caseHQ either to the result or a ‘file note: file note’ | | **Y/N** |
| Matter closed unless outstanding NoCs | **Closed/NoCs** | |
| DO NOT CLOSE if there are Notifications of Changes that have not yet been acknowledged. In this case make sure the Notifications of Change are processed before closing. | | |
| **ONCE FILED PROCESS ALL NOCS IN RELATION TO THIS ANNUAL RETURN**  **DO NOT CLOSE THE MATTER UNTIL AFTER YOU HAVE FINALISED ALL THE OUTSTANDING NOCS** | | |

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