

Appendix A

Financial statements

**Federal Magistrates Court of Australia
for the year ended 30 June 2009**



INDEPENDENT AUDITOR'S REPORT

To the Attorney General

Scope

I have audited the accompanying financial statements of the Federal Magistrates Court of Australia for the year ended 30 June 2009, which comprise: a Statement by the Chief Executive and Chief Financial Officer; Income Statement; Balance Sheet; Statement of Changes in Equity; Cash Flow Statement; Schedule of Commitments; Schedule of Administered Items and Notes to and forming part of the Financial Statements, including a Summary of Significant Accounting Policies.

The Responsibility of the Chief Executive for the Financial Statements

The Federal Magistrates Court of Australia's Chief Executive is responsible for the preparation and fair presentation of the financial statements in accordance with the Finance Minister's Orders made under the *Financial Management and Accountability Act 1997*, including the Australian Accounting Standards (which include the Australian Accounting Interpretations). This responsibility includes establishing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

My responsibility is to express an opinion on the financial statements based on my audit. I have conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. These auditing standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial

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statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Federal Magistrates Court of Australia's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Court's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Court's Chief Executive, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Independence

In conducting the audit, I have followed the independence requirements of the Australian National Audit Office, which incorporate the requirements of the Australian accounting profession.

Auditor's Opinion

In my opinion, the financial statements of the Federal Magistrates Court of Australia's:

- (a) have been prepared in accordance with the Finance Minister's Orders made under the *Financial Management and Accountability Act 1997*, including the Australian Accounting Standards; and
- (b) give a true and fair view of the matters required by the Finance Minister's Orders including the Federal Magistrates Court of Australia's financial position as at 30 June 2009 and its financial performance and cash flows for the year then ended.

Australian National Audit Office



Simon Kidman
Executive Director
Delegate of the Auditor-General
Canberra
1 September 2009



1 September 2009

The Hon Robert McClelland MP
Attorney-General
Parliament House
CANBERRA ACT 2601

Dear Minister

**FEDERAL MAGISTRATES COURT OF AUSTRALIA
FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2009**

Our audit of the financial statements for the year ended 30 June 2009 of the Federal Magistrates Court of Australia has now been completed. In accordance with Finance Minister's Orders made under the *Financial Management and Accountability Act 1997*, I have the pleasure in attaching for your information a copy of the unqualified auditor's report together with the associated financial statements.

Yours sincerely

Simon Kidman
Executive Director

Delegate of the Auditor-General

Canberra

cc Mr Richard Foster, CEO, Federal Magistrates Court of Australia

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STATEMENT BY THE CHIEF EXECUTIVE OFFICER AND CHIEF FINANCE OFFICER for the Federal Magistrates Court

In our opinion, the attached financial statements for the period ended 30 June 2009 are based on properly maintained financial records and give a true and fair view of the matters required by the Finance Minister's Orders made under the *Financial Management and Accountability Act 1997* as amended.



Mr Richard Foster PSM
Acting Chief Executive Officer
Federal Magistrates Court

1st September 2009



Mr Grahame Harriott
Acting Chief Finance Officer
Federal Magistrates Court

1st September 2009

INCOME STATEMENT for the Federal Magistrates Court

for the period ended 30 June 2009

	Notes	2009 \$'000	2008 \$'000
INCOME			
Revenue			
Revenue from Government	4A	56,524	54,272
Sale of goods and rendering of services	4B	5,029	2,202
Rental income	4C	418	395
Total revenue		61,971	56,869
Gains			
Other gains	4D	20,935	19,538
Total gains		20,935	19,538
Total Income		82,906	76,407
EXPENSES			
Employee benefits	5A	36,574	30,487
Suppliers	5B	49,499	46,423
Depreciation and amortisation	5C	1,624	1,466
Finance costs	5D	49	35
Write-down and impairment of assets	5E	165	-
Losses from asset sales	5F	-	21
Total Expenses		87,911	78,432
Surplus (Deficit)		(5,005)	(2,025)

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

BALANCE SHEET for the Federal Magistrates Court

as at 30 June 2009

	Notes	2009 \$'000	2008 \$'000
ASSETS			
Financial Assets			
Cash and cash equivalents	6A	649	520
Trade and other receivables	6B	18,328	20,475
Accrued revenue	6C	208	-
Total financial assets		19,185	20,995
Non-Financial Assets			
Leasehold improvements	7A	3,188	3,762
Infrastructure, plant and equipment	7B	1,021	908
Intangibles	7D	95	155
Other non-financial assets	7F	351	107
Total non-financial assets		4,655	4,932
Total Assets		23,840	25,927
LIABILITIES			
Payables			
Suppliers	8A	1,837	2,198
Other payables	8B	1,241	161
Total payables		3,078	2,359
Provisions			
Employee Provisions	9A	6,520	5,131
Other provisions	9B	724	675
Total provisions		7,244	5,806
Total Liabilities		10,322	8,165
Net Assets		13,518	17,762
EQUITY			
Contributed equity		8,209	8,209
Reserves		761	-
Retained surplus		4,548	9,553
Total Equity		13,518	17,762
Current Assets		19,536	21,102
Non-Current Assets		4,304	4,825
Current Liabilities		8,522	6,676
Non-Current Liabilities		1,800	1,489

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

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

STATEMENT OF CHANGES IN EQUITY for the Federal Magistrates Court

as at 30 June 2009

	Retained Earnings		Asset Revaluation Reserves		Contributed Equity/Capital		Total Equity	
	2009 \$'000	2008 \$'000	2009 \$'000	2008 \$'000	2009 \$'000	2008 \$'000	2009 \$'000	2008 \$'000
Opening balance								
Balance carried forward from previous period	9,553	16,097	-	-	8,209	3,109	17,762	19,206
Adjustment for errors*	-	(4,519)	-	-	-	4,400	-	(119)
Adjusted opening balance	9,553	11,578	-	-	8,209	7,509	17,762	19,087
Income and expenses								
Revaluation adjustment	-	-	761	-	-	-	761	-
Sub-total income and expenses recognised directly in equity	-	-	761	-	-	-	761	-
(Deficit) for the period	(5,005)	(2,025)	-	-	-	-	(5,005)	(2,025)
Total income and expenses	(5,005)	(2,025)	761	-	-	-	(4,244)	(2,025)
Transactions with owners								
Contributions by owners								
Appropriation (equity injection)	-	-	-	-	-	700	-	700
Sub-total transactions with owners	-	-	-	-	-	700	-	700
Closing balance as at 30 June	4,548	9,553	761	-	8,209	8,209	13,518	17,762

* As per Note 3

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

CASH FLOW STATEMENT for the Federal Magistrates Court

for the period ended 30 June 2009

	Notes	2009 \$'000	2008 \$'000
OPERATING ACTIVITIES			
Cash received			
Goods and services		4,869	1,987
Appropriations		58,939	53,320
Net GST received		2,884	2,345
Total cash received		66,692	57,652
Cash used			
Employees		(34,107)	(29,508)
Suppliers		(31,949)	(28,215)
Total cash used		(66,056)	57,723
Net cash from (used by) operating activities	10	636	(71)
INVESTING ACTIVITIES			
Cash received			
Proceeds from sales of infrastructure, plant and equipment		-	1
Total cash received		-	1
Cash used			
Purchase of infrastructure, plant and equipment		(504)	(3,543)
Purchase of intangibles		(3)	(107)
Total cash used		507	3,650
Net cash (used by) investing activities		(507)	(3,649)
FINANCING ACTIVITIES			
Cash received			
Contributed equity		-	3,688
Total cash received		-	3,688
Net cash from financing activities		-	3,688
Net increase (decrease) in cash held		129	(32)
Cash and cash equivalents at the beginning of the reporting period		520	552
Cash and cash equivalents at the end of the reporting period	6A	649	520

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

SCHEDULE OF COMMITMENTS for the Federal Magistrates Court

as at 30 June 2009

	2009	2008
	\$'000	\$'000
BY TYPE		
Commitments receivable		
Sublease rental income	(116)	-
GST recoverable on commitments	(1,741)	(2,179)
Total commitments receivable	(1,857)	(2,179)
Other commitments		
Operating leases ¹	19,259	23,966
Total other commitments	19,259	23,966
Net commitments by type	17,402	21,787
BY MATURITY		
Commitments receivable		
Sublease rental income		
One year or less	(116)	-
Total sublease rental income	(116)	-
Other commitments receivable		
One year or less	(255)	(367)
From one to five years	(410)	(469)
Over five years	(1,076)	(1,343)
Total other commitments receivable	(1,741)	(2,179)
Commitments payable		
Operating lease commitments		
One year or less	2,917	4,038
From one to five years	4,506	5,163
Over five years	11,836	14,765
Total operating lease commitments	19,259	23,966
Net commitments by maturity	17,402	21,787

NB: Commitments were GST inclusive where relevant.

¹ Operating leases are effectively non-cancellable and comprise:

Nature of lease	General description of leasing arrangement
Agreements for the provision of motor vehicles to statutory appointees	No contingent rentals exist. There are no renewal or purchase options available to the Agency.
Leases for office accommodation	The Federal Magistrates Court leases courtroom space and accommodation under a Memorandum of Understanding between federal law courts and the Department of Finance and Deregulation. Funding provided by Government for lease commitments is attached to the building and transfers to the relevant occupant upon occupation. Under the Memorandum of Understanding, in the event of a change of administrative arrangements by Government, the funding and lease commitment transfers to the new occupant. Lease payments are subject to annual increase in accordance with upwards movements in the Consumer Price Index.

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

SCHEDULE OF ADMINISTERED ITEMS for the Federal Magistrates Court			
	Notes	2009 \$'000	2008 \$'000
Income administered on behalf of Government			
<i>for the period ended 30 June 2009</i>			
Revenue			
Non-taxation revenue			
Fees and fines	16A	<u>19,316</u>	<u>17,405</u>
Total non-taxation revenue		<u>19,316</u>	<u>17,405</u>
Total revenues administered on behalf of Government		<u>19,316</u>	<u>17,405</u>
Expenses administered on behalf of Government			
<i>for the period ended 30 June 2009</i>			
Suppliers	17A	208	513
Write-down and impairment of assets	17B	1	-
Other expenses	17C	<u>140</u>	<u>44</u>
Total expenses administered on behalf of Government		<u>349</u>	<u>557</u>
This schedule should be read in conjunction with the accompanying notes.			

SCHEDULE OF ADMINISTERED ITEMS for the Federal Magistrates Court

	Notes	2009 \$'000	2008 \$'000
Assets administered on behalf of Government			
<i>as at 30 June 2009</i>			
Financial assets			
Cash and cash equivalents	18A	206	89
Receivables	18B	<u>12</u>	<u>102</u>
Total financial assets		<u>218</u>	<u>191</u>
Total assets administered on behalf of Government		<u>218</u>	<u>191</u>
Liabilities administered on behalf of Government			
<i>as at 30 June 2009</i>			
Payables			
Suppliers	19A	-	189
Total payables		<u>-</u>	<u>189</u>
Total liabilities administered on behalf of Government		<u>-</u>	<u>189</u>

This schedule should be read in conjunction with the accompanying notes.

SCHEDULE OF ADMINISTERED ITEMS for the Federal Magistrates Court			
	Notes	2009 \$'000	2008 \$'000
Administered Cash Flows			
<i>for the period ended 30 June 2009</i>			
OPERATING ACTIVITIES			
Cash received			
Fees and fines		19,417	17,363
Net GST received		24	32
Total cash received		<u>19,441</u>	<u>17,395</u>
Cash used			
Suppliers		(425)	(576)
Other - refunds of fees		(148)	(44)
Total cash used		<u>(573)</u>	<u>620</u>
Net cash flows from operating activities		<u>18,868</u>	<u>16,775</u>
Net Increase in Cash Held			
Cash and cash equivalents at the beginning of the reporting period		89	61
Cash from Official Public Account for:			
- Appropriations		572	525
Cash to Official Public Account for:			
- Other sources of non-taxation revenue - fees and fines		(19,323)	(17,272)
Cash and cash equivalents at the end of the reporting period	18A	<u>206</u>	<u>89</u>

This schedule should be read in conjunction with the accompanying notes.

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Notes to and forming part of the Financial Statements

Note 1: Summary of Significant Accounting Policies

1.1 Objectives of Federal Magistrates Court

The Federal Magistrates Court (the Court) is an Australian Public Service organisation.

The objective of the Court is to provide the Australian community with a simple and accessible forum for the resolution of less complex disputes within the jurisdiction of the Federal Magistrates Court. The Court is structured to meet this single outcome.

The Court was established by the Federal Magistrates Act 1999, which provides for the Court to be known as the Federal Magistrates Service or the Federal Magistrates Court of Australia. In the Federal Government's Appropriation Bills, the Court is referred to as the Federal Magistrates Court.

Court activities contributing to this outcome are classified as either departmental or administered. Departmental activities involve the use of assets, liabilities, income, and expenses controlled or incurred by the Court in its own right. Administered activities involve the management or oversight by the Court, on behalf of the Government, of items controlled or incurred by the Government.

The Court conducts the following administered activities:

- providing dispute resolution services such as counselling, mediation and conciliation from community-based organisations.

The continued existence of the Court in its present form and with its present programs is dependent on Government policy and on continuing appropriations by Parliament for the Court's administration and programs.

1.2 Basis of Preparation of the Financial Report

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

The Financial Statements and notes have been prepared in accordance with:

- Finance Minister's Orders (or FMO), for reporting periods ending on or after 1 July 2008; and
- Australian Accounting Standards and Interpretations issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

The financial report has been prepared on an accrual basis and is in accordance with the historical cost convention, except for certain assets at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position.

The financial report is presented in Australian dollars and values are rounded to the nearest thousand dollars unless otherwise specified.

Unless an alternative treatment is specifically required by an accounting standard or the FMO, assets and liabilities are recognised in the balance sheet when and only when it is probable that future economic benefits will flow to the Court or a future sacrifice of economic benefits will be required and the amounts of the assets or liabilities can be reliably measured. However, assets and liabilities arising under Agreements Equally Proportionately Unperformed are not recognised unless required by an accounting standard.

Unless alternative treatment is specifically required by an accounting standard, income and expenses are recognised in the income statement when and only when the flow, consumption or loss of economic benefits has occurred and can be reliably measured.

Administered revenues, expenses, assets and liabilities and cash flows reported in the Schedule of Administered Items and related notes are accounted for on the same basis and using the same policies as for departmental items, except where otherwise stated at Note 1.19

Notes to and forming part of the Financial Statements

Note 1: Summary of Significant Accounting Policies (continued)

1.3 Significant Accounting Judgement and Estimates

In the process of applying the accounting policies listed in this note, the Court has made the following judgements that have the most significant impact on the amounts recorded in the financial statements:

- The fair value of land and buildings has been taken to be the written down replacement cost as determined by an independent valuer.

No accounting assumptions or estimates have been identified that have a significant risk of causing a material adjustment to carrying amounts of assets and liabilities within the next accounting period.

1.4 Changes in Australian Accounting Standards

Adoption of New Australian Accounting Standard Requirements

No accounting standard has been adopted earlier than the application date as stated in the standard. The new standards and amendments to standards applicable to the current reporting period have no material financial impact on the Federal Magistrates Court.

Future Australian Accounting Standard Requirements

It is estimated that the impact of adopting the new standards, amendments to standards and interpretations that have been issued by the Australian Accounting Standards Board for future periods will have no material financial impact on future reporting periods.

1.5 Revenue

Revenues from Government

Amounts appropriated for departmental output appropriations for the year (adjusted for any formal additions and reductions) are recognised as revenue when the Court gains control of the appropriation, except for certain amounts that relate to activities that are reciprocal in nature, in which case revenue is recognised only when it has been earned.

Appropriations receivable are recognised at their nominal value.

Other Types of Revenue

Revenue from the sale of goods is recognised when:

- the risks and rewards of ownership have been transferred to the buyer;
- the seller retains no managerial involvement nor effective control over the goods;
- the revenue and transaction costs incurred can be reliably measured; and
- it is probable that the economic benefits associated with the transaction will flow to the entity.

Revenue from rendering of services is recognised by reference to the stage of completion of contracts at the reporting date. The revenue is recognised when:

- the amount of revenue, stage of completion and transaction costs incurred can be reliably measured; and
- the probable economic benefits associated with the transaction will flow to the entity.

The stage of completion of contracts at the reporting date is determined by reference to:

- the proportion that costs incurred to date bear to the estimated total costs of the transaction.

Receivables for goods and services, which have 30 day terms, are recognised at the nominal amounts due less any impairment allowance account. Collectability of debts is reviewed at balance date. Allowances are made when collectability of the debt is no longer probable.

Notes to and forming part of the Financial Statements

Note 1: Summary of Significant Accounting Policies (continued)

1.6 Gains

Other Resources Received Free of Charge

Resources received free of charge are recognised as gains when, and only when, a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense.

Resources received free of charge are recorded as either revenue or gains depending on their nature.

Sale of Assets

Gains from disposal of non-current assets are recognised when control of the asset has passed to the buyer.

1.7 Transactions with the Government as Owner

Equity Injections

Amounts appropriated which are designated as 'equity injections' for a year (less any formal reductions) are recognised directly in contributed equity in that year.

Other Distributions to Owners

The FMO require that distributions to owners be debited to contributed equity unless in the nature of a dividend.

1.8 Employee Benefits

Liabilities for services rendered by employees are recognised at the reporting date to the extent that they have not been settled.

Liabilities for 'short-term employee benefits' (as defined in AASB 119 *Employee Benefits*) and termination benefits due within twelve months of balance date are measured at their nominal amounts.

The nominal amount is calculated with regard to the rates expected to be paid on settlement of the liability.

All other employee benefit liabilities are measured as the present value of the estimated future cash outflows to be made in respect of services provided by employees up to the reporting date.

Leave

The liability for employee benefits includes provision for annual leave and long service leave. No provision has been made for sick leave as all sick leave is non-vesting and the average sick leave taken in future years by employees of the Court is estimated to be less than the annual entitlement for sick leave.

The leave liabilities are calculated on the basis of employees' remuneration, at the estimated salary rates that applied at the time the leave is taken, including the Court's employer superannuation contribution rates, to the extent that the leave is likely to be taken during service rather than paid out on termination.

The liability for long service leave has been determined by reference to the work of an actuary as at 30 June 2009. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

Separation and Redundancy

Provision is made for separation and redundancy benefit payments. The Court recognises a provision for termination when it has developed a detailed formal plan for the terminations and has informed those employees affected that it will carry out the terminations.

Superannuation

Staff of the Court are members of the Commonwealth Superannuation Scheme (CSS), the Public Sector Superannuation Scheme (PSS), or the PSS accumulation plan (PSSap).

The CSS and PSS are defined benefit schemes for the Australian Government. The PSSap is a defined contribution scheme.

Notes to and forming part of the Financial Statements

Note 1: Summary of Significant Accounting Policies (continued)

The liability for defined benefits is recognised in the financial statements of the Australian Government and is settled by the Australian Government in due course.. This liability is reported by the Department of Finance and Deregulation as an administered item.

The Court makes employer contributions to the employee superannuation scheme at rates determined by an actuary to be sufficient to meet the current cost to the Government of the superannuation entitlements of the Court's employees. The Court accounts for the contributions as if they were contributions to defined contribution plans.

Federal Magistrates and certain non-ongoing staff are not members of these schemes. The Court contributes to eligible superannuation funds nominated by the employees.

The liability for superannuation recognised as at 30 June represents outstanding contributions for the final fortnight of the year.

1.9 Leases

A distinction is made between finance leases and operating leases. Finance leases effectively transfer from the lessor to the lessee substantially all the risks and rewards incidental to ownership of leased non-current assets. An operating lease is a lease that is not a finance lease. In operating leases, the lessor effectively retains substantially all such risks and benefits.

Where a non-current asset is acquired by means of a finance lease, the asset is capitalised at either the fair value of the lease property or, if lower, the present value of minimum lease payments at the inception of the contract and a liability recognised at the same time and for the same amount.

The discount rate used is the interest rate implicit in the lease. Leased assets are amortised over the period of the lease. Lease payments are allocated between the principal component and the interest expense.

Operating lease payments are expensed on a straight line basis which is representative of the pattern of benefits derived from the leased assets.

1.10 Borrowing Costs

All borrowing costs are expensed as incurred.

1.11 Cash

Cash and cash equivalents includes notes and coins held and any deposits in bank accounts with an original maturity of 3 months or less that are readily convertible to known amounts of cash and subject to insignificant risk of changes in value. Cash is recognised at its nominal amount.

1.12 Financial Assets

The Court classifies its financial assets in the following categories:

- financial assets as at fair value through profit or loss;
- held-to-maturity investments;
- available-for-sale financial assets; and
- loans and receivables.

The classification depends on the nature and purpose of the financial assets and is determined at the time of initial recognition.

Financial assets are recognised and derecognised upon trade date.

The Court's financial assets are limited to loans and receivables.

Notes to and forming part of the Financial Statements

Note 1: Summary of Significant Accounting Policies (continued)

Effective Interest Method

The effective interest method is a method of calculating the amortised cost of a financial asset and of allocating interest income over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash receipts through the expected life of the financial asset, or, where appropriate, a shorter period.

Income is recognised on an effective interest rate basis except for financial assets that are recognised at fair value through profit or loss.

Loans and Receivables

Trade receivables, loans and other receivables that have fixed or determinable payments that are not quoted in an active market are classified as 'loans and receivables'. They are included in current assets, except for maturities greater than 12 months after the balance sheet date. These are classified as non current assets. Loans and receivables are measured at amortised cost using the effective interest method less impairment. Interest is recognised by applying the effective interest rate.

1.13 Financial Liabilities

Financial liabilities are classified as either financial liabilities 'at fair value through profit or loss' or other financial liabilities.

Financial liabilities are recognised and derecognised upon 'trade date'.

The Court's financial liabilities are limited to other financial liabilities.

Other Financial Liabilities

Supplier and other payables are recognised at amortised cost. Liabilities are recognised to the extent that the goods and services have been received (and irrespective of having been invoiced). They are included in current liabilities as they are considered short-term in nature with trade terms generally of net 30 days.

1.14 Contingent Liabilities and Contingent Assets

Contingent Liabilities and Contingent Assets are not recognised in the balance sheet but are reported in the relevant schedules and notes. They may arise from uncertainty as to the existence of a liability or asset or represent an asset or liability in respect of which the amount cannot be reliably measured. Contingent assets are disclosed when settlement is probable but not virtually certain and contingent liabilities are disclosed when settlement is greater than remote. The Court had no contingent assets or liabilities to disclose at 30 June 2009.

1.15 Acquisition of Assets

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken. Financial assets are initially measured at their fair value plus transaction costs where appropriate.

Assets acquired at no cost, or for nominal consideration, are initially recognised as assets and income at their fair value at the date of acquisition, unless acquired as a consequence of restructuring of administrative arrangements. In the latter case, assets are initially recognised as contributions by owners at the amounts at which they were recognised in the transferor agency's accounts immediately prior to the restructuring.

1.16 Property, Plant and Equipment

Asset Recognition Threshold

Purchases of property, plant and equipment are recognised initially at cost in the balance sheet, except for purchases costing less than \$2,000, which are expensed in the year of acquisition (other than where they form part of a group of similar items which are significant in total).

The initial cost of an asset includes an estimate of the cost of dismantling and removing the item and restoring the site on which it is located. This is particularly relevant to 'make good' provisions in property leases taken up by the Court where there exists an obligation to restore the property to its original condition. These costs are included in the value of the Court's leasehold improvements with a corresponding provision for the 'make good' recognised.

Notes to and forming part of the Financial Statements

Note 1: Summary of Significant Accounting Policies (continued)

Fair values for each class of asset are determined as shown below:

Asset Class	Fair value measured at
Leasehold improvements	Depreciated replacement cost
Plant and equipment	Depreciated replacement cost

Following initial recognition at cost, property plant and equipment are carried at fair value less subsequent accumulated depreciation and accumulated impairment losses. Valuations are conducted with sufficient frequency to ensure that the carrying amounts of assets do not materially from the assets' fair values as at the reporting date. The regularity of independent valuations depends upon the volatility of movements in market values for the relevant assets.

Revaluation adjustments are made on a class basis. Any revaluation increment is credited to equity under the heading of asset revaluation reserve except to the extent that it reverses a previous revaluation decrement of the same asset class that was previously recognised through operating result. Revaluation decrements for a class of assets are recognised directly through operating result except to the extent that they reverse a previous revaluation increment for that class.

Any accumulated depreciation as at the revaluation date is eliminated against the gross carrying amount of the asset and the asset restated to the revalued amount.

Depreciation

Depreciable property, plant and equipment assets are written-off to their estimated residual values over their estimated useful lives to the Court using, in all cases, the straight-line method of depreciation. Leasehold improvements are depreciated on a straight-line basis over the lesser of the estimated useful life of the improvements or the unexpired period of the lease.

Depreciation rates (useful lives), residual values and methods are reviewed at each reporting date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate.

Depreciation rates applying to each class of depreciable asset are based on the following useful lives:

	<u>2009</u>	<u>2008</u>
Leasehold improvements	2 to 20 years	2 to 20 years
Plant and equipment	4 to 8 years	4 to 8 years

Impairment

All assets were assessed for impairment at 30 June 2009. Where indications of impairment exist, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount.

The recoverable amount of an asset is the higher of its fair value less costs to sell and its value in use. Value in use is the present value of the future cash flows expected to be derived from the asset. Where the future economic benefit of an asset is not primarily dependent on the asset's ability to generate future cash flows, and the asset would be replaced if the Court were deprived of the asset, its value in use is taken to be its depreciated replacement cost.

1.17 Intangibles

The Court's intangibles comprise purchased software for internal use. These assets are carried at cost less accumulated amortisation and accumulated impairment losses.

Software is amortised on a straight-line basis over its anticipated useful life. The useful lives of the Court's software is 4 years.

All software assets were accessed for indications of impairment as at 30 June 2009.

1.18 Taxation / Competitive Neutrality

The Court is exempt from all forms of taxation except Fringe Benefits Tax (FBT) and the Goods and Services Tax (GST).

Revenues, expenses and assets are recognised net of GST:

- except where the amount of GST incurred is not recoverable from the Australian Taxation Office; and
- except for receivables and payables.

Notes to and forming part of the Financial Statements

Note 1: Summary of Significant Accounting Policies (continued)

1.19 Reporting of Administered Activities

Administered revenues, expenses, assets, liabilities and cash flows are disclosed in the schedule of administered items and related notes.

Except where otherwise stated below, administered items are accounted for on the same basis and using the same policies as for departmental items, including the application of Australian Accounting Standards.

Administered Cash Transfers to and from Official Public Account

Revenue collected by the Court for use by the Government rather than the Court is administered revenue.

Collections are transferred to the Official Public Account (OPA) maintained by the Department of Finance and Deregulation.

Conversely, cash is drawn from the OPA to make payments under Parliamentary appropriation on behalf of Government. These transfers to and from the OPA are adjustments to the administered cash held by the Court on behalf of the Government and reported as such in the statement of cash flows in the schedule of administered items and in the administered reconciliation table in Note 20: Administered Reconciliation Table. The schedule of administered items largely reflects the Government's transactions, through the Court, with parties outside the Government.

Revenue

All administered revenues are revenues relating to the course of ordinary activities performed by the Court on behalf of the Australian Government.

The administered revenue comprises fees for ongoing applications with the Court and fines ordered by the Court.

Loans and Receivables

Where loans and receivables are not subject to concessional treatment, they are carried at amortised cost using the effective interest method. Gains and losses due to impairment, derecognition and amortisation are recognised through surplus and deficit.

Note 2: Events After the Balance Sheet Date

The Court has no adjusting or non-adjusting events after the balance sheet date.

Notes to and forming part of the Financial Statements

Note 3: Correction of Prior Period Errors

An error was made in the financial year ending 30 June 2007. The leasehold makegood asset was not brought to account at lease inception and the liability was not discounted in accordance with UIG Interpretation 1 "Changes in Existing Decommissioning, Restoration and Similar Liabilities".

In addition, an amount of \$4.4 million had been classified as retained earnings instead of contributed equity

During the financial year ending 30 June 2008, expenditure incurred of \$56,000 relating to a combined Courts E-Filing project had not been recognised. An amount of \$395,000 had also been recovered in rental income which was not recognised as revenue.

Where the errors were made in the financial year prior to the comparative year, the balance sheet opening balances as at 1 July 2007 were restated as follows.

	2007
	\$000
Leasehold improvements	1,797
Other provisions	519
Retained Earnings	11,578
Contributed Equity	7,509

The following line items were restated for the year ending 30 June 2008

	2008
	\$000
Rental income	395
Depreciation expense	1,466
Supplier expense	46,423
Finance expense	35
Leasehold improvements	3,762
Suppliers	2,198
Other provisions	675
Contributed Equity	8,209
Retained Earnings	9,553

Summary of adjustments

	Actual	Correction	Corrected
	2008	2008	2008
	\$000	\$000	\$000
Income Statement Extract			
Rental Income	-	395	395
Total revenue	56,474	395	56,869
Total Income	76,012	395	76,407
Suppliers	45,972	451	46,423
Depreciation	1,381	85	1,466
Finance costs	-	35	35
Total Expenses	77,861	571	78,432
(Deficit)	(1,849)	(176)	(2,025)

Notes to and forming part of the Financial Statements

Note 3: Correction of Prior Period Errors (continued)

	Actual 2008 \$000	Correction 2008 \$000	Corrected 2008 \$000
Balance Sheet Extract			
Non-Financial Assets			
Leasehold improvements	3,826	(64)	3,762
Total Assets	25,991	(64)	25,927
Liabilities			
Suppliers	2,142	56	2,198
Other provisions	500	175	675
Total Liabilities	7,934	231	8,165
Net Assets	18,057	(295)	17,762
Equity			
Contributed equity	3,809	4,400	8,209
Retained surplus	14,248	(4,695)	9,553
Total Equity	18,057	(295)	17,762
Statement of Changes in Equity Extract			
Opening balance	19,206	(119)	19,087
Surplus (deficit) for the period	(1,849)	(176)	(2,025)
Closing Balance	18,057	(295)	17,762
Changes to Note 4C			
<u>Rental Income</u>			
Rental income	-	395	395
Total rental income	-	395	395
Changes to Note 5B			
<u>Suppliers Expense</u>			
Rendering of services - related entities	27,596	56	27,652
Operating lease rentals			
Minimum lease payments	3,852	395	4,247
Total supplier expense	45,972	451	46,423
Changes to Note 5C			
<u>Depreciation</u>			
Leasehold improvements	961	85	1,046
Total depreciation	1,289	85	1,374
Total depreciation and amortisation	1,381	85	1,466
Changes to Note 5D			
<u>Finance Costs</u>			
Unwinding of discount	-	35	35
Total finance costs expense	-	35	35

Notes to and forming part of the Financial Statements

Note 3: Correction of Prior Period Errors (continued)

	Actual 2008 \$000	Correction 2008 \$000	Corrected 2008 \$000
Changes to Note 7A			
<u>Leasehold Improvements</u>			
Leasehold improvements			
- at cost	4,512	-	4,512
- accumulated amortisation	<u>(1,074)</u>	<u>-</u>	<u>(1,074)</u>
	3,438	-	3,438
Deferred expense - makegood costs	500	128	628
- accumulated amortisation	<u>(112)</u>	<u>(192)</u>	<u>(304)</u>
	388	(64)	324
Total leasehold improvements	<u>3,826</u>	<u>(64)</u>	<u>3,762</u>
Changes to Note 8A			
<u>Payables</u>			
Accrued expenses	<u>1,319</u>	56	<u>1,375</u>
Total supplier payables	<u>2,142</u>	<u>56</u>	<u>2,198</u>
Changes to Note 8B			
<u>Other provisions</u>			
Provision for make-good costs	<u>500</u>	175	<u>675</u>
Total other provisions	<u>500</u>	<u>175</u>	<u>675</u>

Notes to and forming part of the Financial Statements

	2009	2008
	\$'000	\$'000
Note 4: Income		
<i>Revenue</i>		
Note 4A: Revenues from Government		
Appropriations:		
Departmental outputs	<u>56,524</u>	<u>54,272</u>
Total revenue from Government	<u>56,524</u>	<u>54,272</u>
Note 4B: Sale of Goods and Rendering of Services		
Provision of goods - external parties	-	1
Rendering of services - external parties	<u>21</u>	-
Rendering of services - related entities	<u>5,008</u>	<u>2,201</u>
Total sale of goods and rendering of services	<u>5,029</u>	<u>2,202</u>
Note 4C: Rental Income		
Rental income	<u>418</u>	<u>395</u>
Total rental income	<u>418</u>	<u>395</u>
<i>Gains</i>		
Note 4D: Other Gains		
Resources received free of charge	<u>20,935</u>	<u>19,538</u>
Total other gains	<u>20,935</u>	<u>19,538</u>

The Court receives administrative support services from the Family Court of Australia and audit services by the Australian National Audit Office (ANAO). The value of these services is estimated by the Family Court and the ANAO and recorded as resources received free of charge.

Notes to and forming part of the Financial Statements

	2009 \$'000	2008 \$'000
Note 5: Expenses		
Note 5A: Employee Benefits		
Wages and salaries	26,867	22,320
Defined contribution plans	2,777	2,457
Defined benefit plans	1,085	909
Leave and other entitlements	3,496	2,851
Separation and redundancies	1,157	169
Other employee expenses	1,192	1,781
Total employee benefits	36,574	30,487
Note 5B: Suppliers		
Provision of goods - external parties	1,245	1,376
Rendering of services - related entities	28,913	27,652
Rendering of services - external parties	14,316	12,909
Operating lease rentals		
Minimum lease payments	4,931	4,247
Workers compensation premiums	94	239
Total supplier expenses	49,499	46,423
Note 5C: Depreciation and Amortisation		
Depreciation:		
Leasehold improvements	1,285	1,046
Plant and equipment	280	328
Total depreciation	1,565	1,374
Amortisation:		
Intangibles - computer software	59	92
Total amortisation	59	92
Total depreciation and amortisation	1,624	1,466
Note 5D: Finance Costs		
Unwinding of discount	49	35
Total finance costs	49	35
Note 5E: Write-Down and Impairment of Assets		
Asset write-downs and impairments from:		
Write-down of leasehold improvements	31	-
Write-down of infrastructure, plant & equipment	130	-
Write-down of intangible assets	4	-
Total write-down and impairment of assets	165	-
Note 5F: Losses from Asset Sales		
Infrastructure, plant and equipment		
Proceeds from disposal	-	(1)
Carrying value of assets disposed	-	21
Selling expenses	-	1
Total losses from asset sales	-	21

Notes to and forming part of the Financial Statements

	2009	2008
	\$'000	\$'000
Note 6: Financial Assets		
Note 6A: Cash and Cash Equivalents		
Cash at bank	<u>649</u>	<u>520</u>
Total cash and cash equivalents	<u>649</u>	<u>520</u>

Note 6B: Trade and Other Receivables		
Goods and services - external parties	464	335
Goods and services - related entities	<u>378</u>	-
Total receivables for goods and services	<u>842</u>	<u>335</u>
Appropriations receivable:		
- for existing outputs	<u>17,169</u>	19,583
Total appropriations receivable	<u>17,169</u>	<u>19,583</u>
GST receivable from the Australian Taxation Office	317	557
Total trade and other receivables (gross)	<u>18,328</u>	<u>20,475</u>
Total trade and other receivables (net)	<u>18,328</u>	<u>20,475</u>

All receivables are current assets.

Appropriations receivable are undrawn appropriations controlled by the Court but held in the Official Public Account under the Government's just-in-time drawdown arrangements.

Receivables are aged as follows:

Not overdue	<u>17,945</u>	<u>20,361</u>
Overdue by:		
Less than 30 days	379	44
30 to 60 days	1	65
61 to 90 days	-	5
More than 90 days	<u>3</u>	-
Total receivables (gross)	<u>18,328</u>	<u>20,475</u>

Note 6C: Accrued Revenue

Goods and services	<u>208</u>	-
Total accrued revenue	<u>208</u>	<u>-</u>

All accrued revenue recognised is a current asset.

Notes to and forming part of the Financial Statements

2009 2008
\$'000 \$'000

Note 7: Non-Financial Assets

Note 7A: Leasehold Improvements

Leasehold improvements			
- At cost	2,977	4,512	
- Accumulated amortisation	<u>-</u>	<u>(1,074)</u>	
- Work in progress - at cost	99	-	
	<u>3,076</u>	<u>3,438</u>	
Deferred expense - Makegood Costs	628	628	
- Accumulated amortisation	(516)	(304)	
	<u>112</u>	<u>324</u>	
Total leasehold improvements (non-current)	<u>3,188</u>	<u>3,762</u>	

No indicators of impairment were found for leasehold improvements.

Note 7B: Infrastructure, Plant and Equipment

Plant and equipment:			
- At cost	1,022	1,355	
- Accumulated depreciation	(1)	(447)	
Total plant and equipment (non-current)	<u>1,021</u>	<u>908</u>	

All revaluations were conducted in accordance with the revaluation policy stated at Note 1.

Revaluation increment of \$595,583 for leasehold improvements (2008: nil) and \$165,561 for infrastructure, plant and equipment (2008: nil) were credited to the asset revaluation reserve by class and included in the equity section of the balance sheet.

No indicators of impairment were found for infrastructure, plant and equipment.

Notes to and forming part of the Financial Statements

Note 7C: Analysis of Property, Plant and Equipment

TABLE A - Reconciliation of the opening and closing balances of property, plant and equipment (2008 - 2009)

Item	Leasehold Improvements \$'000	Other I,P&E \$'000	Total \$'000
As at 1 July 2008			
Gross book value	5,140	1,355	6,495
Accumulated depreciation/amortisation and impairment	(1,378)	(447)	(1,825)
Net book value 1 July 2008	3,762	908	4,670
Additions:			
By purchase	146	358	504
Revaluations and impairments through equity	596	165	761
Depreciation/amortisation expense	(1,285)	(280)	(1,565)
Disposals:			
Other disposals	(31)	(130)	(161)
Net book value 30 June 2009	3,188	1,021	4,209
Net book value as of 30 June 2009 represented by:			
Gross book value	3,704	1,022	4,726
Accumulated depreciation/amortisation and impairment	(516)	(1)	(517)
	3,188	1,021	4,209

TABLE A - Reconciliation of the opening and closing balances of property, plant and equipment (2007- 2008)

Item	Leasehold Improvements \$'000	Other I,P&E \$'000	Total \$'000
As at 1 July 2007			
Gross book value*	2,129	1,110	3,239
Accumulated depreciation/amortisation and impairment*	(332)	(505)	(837)
Net book value 1 July 2007	1,797	605	2,402
Additions:			
By purchase	2,891	652	3,543
Deferred expense -makegood costs	120	-	120
Depreciation/amortisation expense	(1,046)	(328)	(1,374)
Disposals:			
Other disposals	-	(21)	(21)
Net book value 30 June 2008	3,762	908	4,670
Net book value as of 30 June 2008 represented by:			
Gross book value	5,140	1,355	6,495
Accumulated depreciation/amortisation and impairment	(1,378)	(447)	(1,825)
	3,762	908	4,670

*The opening balances for the 2007 financial year have been restated in accordance with the adjustments identified in Note 3

Notes to and forming part of the Financial Statements

2009 2008
\$'000 \$'000

Note 7D: Intangibles

Computer software:

Externally acquired - at cost

- Accumulated amortisation

Total computer software

	512	529
	(417)	(374)
	95	155

Total intangibles (non-current)

	95	155
--	-----------	-----

No indicators of impairment were found for intangible assets.

Note 7E: Analysis of Intangibles

TABLE B - Reconciliation of the opening and closing balances of intangibles (2008 - 2009)

Item	Computer software purchased \$'000	Total \$'000
As at 1 July 2008		
Gross book value	529	529
Accumulated depreciation/amortisation and impairment	(374)	(374)
Net book value 1 July 2008	155	155
Additions		
By purchase	3	3
Amortisation	(59)	(59)
Disposals:		
Other disposals	(4)	(4)
Net book value 30 June 2009	95	95
Net book value as at 30 June 2009 represented by:		
Gross book value	512	512
Accumulated depreciation/amortisation and impairment	(417)	(417)
	95	95

TABLE B - Reconciliation of the opening and closing balances of intangibles (2007 - 2008)

Item	Computer software purchased \$'000	Total \$'000
As at 1 July 2007		
Gross book value	422	422
Accumulated depreciation/amortisation and impairment	(282)	(282)
Net book value 1 July 2007	140	140
Additions		
By purchase	107	107
Amortisation	92	92
Disposals		
Net book value 30 June 2008	339	339
Net book value as of 30 June 2008 represented by:		
Gross book value	529	529
Accumulated amortisation and impairment	(374)	(374)
	155	155

Notes to and forming part of the Financial Statements

	2009	2008
	\$'000	\$'000

Note 7F: Other Non-Financial Assets

Prepayments	<u>351</u>	<u>107</u>
Total other non-financial assets	<u>351</u>	<u>107</u>

All other non-financial assets are current assets.

No indicators of impairment were found for other non-financial assets.

Note 8: Payables

Note 8A: Suppliers

Trade creditors	987	823
Accrued expenses	<u>850</u>	<u>1,375</u>
Total supplier payables	<u>1,837</u>	<u>2,198</u>

All supplier payables are current liabilities.

Settlement is usually made net 30 days.

Note 8B: Other Payables

Other payables	<u>1,241</u>	<u>161</u>
Total other payables	<u>1,241</u>	<u>161</u>

All other payables are current liabilities.

Note 9: Provisions

Note 9A: Employee Provisions

Leave	<u>6,520</u>	<u>5,131</u>
Total employee provisions	<u>6,520</u>	<u>5,131</u>

Employee provisions are represented by:

Current	4,784	4,317
Non-current	<u>1,736</u>	<u>814</u>
Total employee provisions	<u>6,520</u>	<u>5,131</u>

The classification of current includes amounts for which there is not an unconditional right to defer settlement by one year, hence in the case of employee provisions the above classification does not present the amount expected to be settled within one year of reporting date. Employee provisions expected to be settled in twelve months from the reporting date were \$3,037,911 (2008: \$3,017,425), and in excess of one year \$3,482,494 (2008: \$2,113,647)

Note 9B: Other Provisions

Provision for make-good costs	<u>724</u>	<u>675</u>
Total other provisions	<u>724</u>	<u>675</u>

Other provisions are represented by:

Current	660	-
Non-current	<u>64</u>	<u>675</u>
Total other provisions	<u>724</u>	<u>675</u>

Provision for makegood	Total
\$'000	\$'000

Carrying amount 1 July 2008	675	675
Additional provisions made	-	-
Unwinding of discount or change in discount rate	<u>49</u>	<u>49</u>
Closing balance 30 June 2009	<u>724</u>	<u>724</u>

Notes to and forming part of the Financial Statements

2009 2008
\$'000 \$'000

Note 10: Cash Flow Reconciliation

Reconciliation of cash and cash equivalents as per balance sheet to cash flow statement

Report cash and cash equivalent as per:

Cash flow statement	649	520
Balance sheet	649	520
Difference	-	-

Reconciliation of operating result to net cash from operating activities:

Operating result	(5,005)	(2,025)
Depreciation / amortisation	1,624	1,466
Net write down of non-financial assets	165	21
Decrease / (increase) in net receivables	2,147	(1,536)
(Increase) in accrued revenue	(208)	-
(Increase) / decrease in prepayments	(244)	105
(Decrease) / increase in supplier payables	(361)	884
Increase in other payables	1,080	-
Increase in employee provisions	1,389	819
Increase in other provisions	49	195
Net cash from (used by) operating activities	636	(71)

Note 11: Senior Executive Remuneration

2009 2008

The number of executives who received or were due to receive total remuneration of \$130,000 or more:

\$145 000 to \$159 999	1	1
\$160 000 to \$174 999	-	1
\$175 000 to \$189 000	-	1
\$190 000 to \$204 000	1	1
\$235 000 to \$249 999	1	-
\$280 000 to \$294 999	1	-
\$295 000 to \$309 000	1	1
	5	5

The aggregate amount of total remuneration of senior executives shown above. **\$1,187,750** \$1,001,523

The aggregate amount of separation and redundancy/termination benefit payment during the year to an executive shown above. **\$189,919** -

Notes to and forming part of the Financial Statements

2009 2008
\$'000 \$'000

Note 12: Resources Received Free of Charge

Services received from the Family Court of Australia	20,887	19,500
Services received from the Auditor-General	48	38
	20,935	19,538
Total resources received free of charge	20,935	19,538

Note 13: Remuneration of Auditors

2009 2008
\$ \$

Financial statement audit services are provided free of charge to the Court.

The fair value of audit services provided was:	48,000	38,000
	48,000	38,000

No other services were provided by the Auditor-General.

Note 14: Specific Payment Disclosures

2009 2008
\$ \$

Administered

No 'Act of Grace' payments were made during the reporting year, and there were no amounts owing at year end (2008: no payments made). - -

No waivers of amounts owing to the Australian Government were made pursuant to subsection 34(1) of the *Financial Management and Accountability Act 1997* (2008: No payments) - -

Under Federal Magistrates Regulations 8 and 9, an exemption from payment of fees may be granted to people who are eligible for legal aid or qualify for certain government social security benefits, and fees may be waived if they would cause financial hardship. In family law matters, there were 27,741 exemptions and 983 waivers in 2008-09 (2008: 27,228 exemptions and 870 waivers). **8,759,455** 7,957,323

Under Federal Magistrates Regulations 8 and 9, an exemption from payment of fees may be granted to people who are eligible for legal aid or qualify for certain government social security benefits, and fees may be waived if they would cause financial hardship. In general federal law matters, there were 327 exemptions and 728 waivers in 2008-09 (2008: 380 exemptions and 1,486 waivers). **394,526** 668,560

Departmental

No payments were made under the 'Defective Administration Scheme' during the reporting year. (2008: No payments made) - -

Notes to and forming part of the Financial Statements

	2009	2008
	\$'000	\$'000
Note 15: Financial Instruments		
<u>Note 15A: Categories of Financial Instruments</u>		
Financial Assets		
Loans and receivables financial assets:		
Cash and cash equivalents	649	520
Trade and other receivables	842	335
Accrued Revenue	<u>208</u>	<u>0</u>
Carrying amount of financial assets	<u>1,699</u>	<u>855</u>
Financial Liabilities		
At amortised cost:		
Suppliers	1,837	2,198
Other payables	<u>1,241</u>	<u>161</u>
Carrying amount of financial liabilities	<u>3,078</u>	<u>2,359</u>

Note 15B: Fair Value of Financial Instruments

The carrying value of the Court's financial assets and liabilities are a reasonable approximation of their fair value.

Notes to and forming part of the Financial Statements

Note 15C: Credit Risk

The Court is exposed to minimal credit risk as loans and receivables are cash and trade receivables. The maximum exposure to credit risk at reporting date in relation to each class of recognised financial assets is the carrying amount of those assets as indicated in the balance sheet.

The Court has no significant exposure to any concentrations of credit risk.

The Court's policy is to restrict credit to granting receivables to approved customers and in this case the maximum exposure to credit risk is the carrying amount of the related financial assets.

All figures for credit risk referred to do not take into account the value of any collateral or other security.

The following table illustrates the Court's gross exposure to credit risk, excluding any collateral or credit enhancement

	2009 \$'000	2008 \$'000
Financial assets		
Cash	649	520
Trade and other receivables	842	335
Accrued revenue	208	0
Total	1,699	855

Credit quality of financial instruments not past due or individually determined as impaired

	Not Past Due Nor Impaired 2009 \$'000	Not Past Due Nor Impaired 2008 \$'000	Past due or impaired 2009 \$'000	Past due or impaired 2008 \$'000
Cash	649	520	-	-
Trade and other receivables	459	221	383	114
Accrued revenue	208	-	-	-
Total	1,316	741	383	114

Ageing of financial assets that are past due but not impaired for 2009

	0 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
Trade and other receivables	379	1	-	3	383
Total	379	1	-	3	383

Ageing of financial assets that are past due but not impaired for 2008

	0 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
Trade and other receivables	44	65	5	-	114
Total	44	65	5	-	114

Notes to and forming part of the Financial Statements

Note 15D: Liquidity Risk

All financial liabilities are short-term with settlement terms of 30 days.

The Court's governance and internal control framework ensures that obligations associated with financial liabilities are able to be met as and when they fall due.

The following tables illustrates the maturities for financial liabilities

Maturities for financial liabilities 2009

	On demand 2009 \$'000	within 1 year 2009 \$'000	1 to 2 years 2009 \$'000	2 to 5 years 2009 \$'000	> 5 years 2009 \$'000	Total 2009 \$'000
Suppliers	-	1,837	-	-	-	1,837
Other payables	-	1,241	-	-	-	1,241
Total	-	3,078	-	-	-	3,078

Maturities for financial liabilities 2008

	On demand 2008	within 1 year 2008	1 to 2 years 2008	1 to 2 years 2008	> 5 years 2008	Total 2008
Suppliers	-	2,198	-	-	-	2,198
Other payables	-	161	-	-	-	161
Total	-	2,359	-	-	-	2,359

Note 15E: Market risk

The Court's financial instruments have no exposure to market risks.

Notes to and forming part of the Financial Statements

	2009	2008
	\$'000	\$'000
Notes to the Schedule of Administered Items		
Note 16: Income Administered on Behalf of Government		
Non-taxation revenue		
Note 16A: Fees and Fines		
Fees	19,017	17,201
Fines	<u>299</u>	<u>204</u>
Total fees and fines	<u>19,316</u>	<u>17,405</u>
Note 17: Expenses Administered on Behalf of Government		
Note 17A: Suppliers		
Supply of Primary Dispute Resolution services – external entities:	<u>208</u>	513
Total suppliers	<u>208</u>	<u>513</u>
Note 17B: Write-Down and Impairment of Assets		
Receivables (doubtful debts)	<u>1</u>	-
Total write-down and impairment of assets	<u>1</u>	<u>-</u>
Note 17C: Other Expenses		
Refund of Fees	52	44
Refund of Fines	<u>88</u>	-
Total other expenses	<u>140</u>	<u>44</u>
Note 18: Assets Administered on Behalf of Government		
Financial Assets		
Note 18A: Cash and Cash Equivalents		
Administered bank account - Federal Magistrates Court	<u>206</u>	89
Total cash and cash equivalents	<u>206</u>	<u>89</u>
Note 18B: Receivables		
Fees and fines receivable	8	103
GST receivable from the Australian Taxation Office	<u>5</u>	<u>5</u>
Total receivables	<u>13</u>	<u>108</u>
Less: impairment allowance account:		
Doubtful debts	<u>(1)</u>	(6)
Total receivables (net)	<u>12</u>	<u>102</u>
Receivables were aged as follows:		
Not overdue	11	102
Overdue by:		
More than 90 days	<u>1</u>	-
Total receivables (net)	<u>12</u>	<u>102</u>
The impairment allowance account is aged as follows		
Overdue by:		
30 to 60 days	-	(2)
61 to 90 days	-	-
More than 90 days	<u>(1)</u>	<u>(4)</u>
Total impairment allowance account	<u>(1)</u>	<u>(6)</u>

Notes to and forming part of the Financial Statements

Reconciliation of the impairment allowance account:

			Other Receivables 2009 \$'000	Total 2009 \$'000
Movements in relation to 2009				
Opening balance			(6)	(6)
Amounts written off			6	6
(Increase)/decrease recognised in net surplus			(1)	(1)
Closing balance			(1)	(1)
Movements in relation to 2008				
			Other Receivables 2008 \$'000	Total 2008 \$'000
Opening balance			(3)	(3)
Increase/decrease recognised in net surplus			(3)	(3)
Closing balance			(6)	(6)

Note 19: Liabilities Administered on Behalf of Government

Payables

Note 19A: Suppliers

Trade creditors	-	189
Total suppliers	-	189

Note 20: Administered Reconciliation Table

Opening administered assets less administered liabilities as at 1 July

Plus: Administered income	2	(101)
Less: Administered expenses	19,316	17,405
Payments to CAC Act bodies	(349)	(557)
Administered transfers to/from Australian Government:		
Appropriation transfers from OPA	-	-
Annual appropriations administered expenses	572	559
Transfers to OPA	(19,323)	(17,304)
Closing administered assets less administered liabilities as at 30 June	218	2

Notes to and forming part of the Financial Statements

	2009 \$'000	2008 \$'000
Note 21: Administered Financial Instruments		
Note 21A: Categories of Financial Instruments		
Financial Assets		
Loans and receivables:		
Cash and cash equivalents	206	89
Trade and other receivables	12	102
Carrying amount of financial assets	218	191
Financial Liabilities		
At amortised cost:		
Suppliers	-	189
Carrying amount of financial liabilities	-	189
Note 21B: Net Income and Expense from Financial Assets		
Loans and receivables		
Impairment	(1)	-
Net gain/(loss) loans and receivables	(1)	-
Net gain/(loss) from financial assets	(1)	-
Note 21C: Fair Value of Financial Instruments		
The net fair value of cash and non-interest-bearing monetary financial assets and liabilities equate to their carrying amounts disclosed in the financial report.		
Note 21D: Credit Risk		
The Court's maximum exposures to credit risk at reporting date in relation to each class of recognised financial assets is the carrying amounts of those assets as indicated in the Balance Sheet.		
The Court's credit risk policy is to restrict credit to granting receivables to approved customers and in this case the maximum exposure to credit risk is the carrying amount of the related financial assets.		
The Court has no significant exposure to any concentrations of credit risk.		
Note 21E: Liquidity risk		
All financial liabilities are short-term with settlement terms of 30 days.		
The Court's governance and internal control framework ensures that obligations associated with financial liabilities are able to be met as and when they fall due.		
Note 21F: Market Risk		
The Court has no exposure to market risk.		

Notes to and forming part of the Financial Statements

Note 22: Appropriations

Table A: Acquittal of Authority to Draw Cash from the Consolidated Revenue Fund for Ordinary Annual Services Appropriations

Particulars	Administered Expenses		Departmental Outputs		Total
	2009	2008	2009	2008	
	\$000	\$000	\$000	\$000	\$000
Outcome 1					
Balance brought forward from previous period (Appropriation Acts)	421	393	18,734	17,418	19,155
Adjustment to opening balance – carried forward error	(89)		2		(87)
Lapsed prior year appropriation	(327)	(107)			(327)
Adjusted balance brought forward from previous period	5	286	18,736	17,418	18,741
<i>Appropriations Act:</i>					
Appropriation Act (No. 1) 2008 - 2009 as passed	843	805	55,808	53,658	56,651
Appropriation Act (No. 3) 2008 - 2009 as passed	-	-	716	2,149	716
Departmental appropriations reduced (Appropriation Act section 10)	-	-	-	(1,535)	-
<i>FMA Act:</i>					
Repayment to the Commonwealth (FMA Act section 30)	-	-	15	1	15
Appropriations to take account of recoverable GST (FMA Act section 30A)	25	34	2,646	2,408	2,671
Relevant agency receipts (FMA Act s31)	-	-	4,855	2,201	4,855
Total appropriations available for payments	873	1,125	82,776	76,300	83,649
Cash payments made during the year (GST inclusive)	425	704	66,563	57,566	66,988
<i>FMA Act</i>	448	421	16,213	18,734	16,661
Cash at bank and on hand	-	89	649	520	649
Departmental appropriations receivable	-	-	15,247	17,661	15,247
Receivables - GST receivable from the ATO	5	5	317	553	322
Undrawn administered appropriations	443	327	-	-	443
Total as at 30 June	448	421	16,213	18,734	16,661

Notes to and forming part of the Financial Statements

Note 22 Appropriations (continued)

Table A: Acquittal of Authority to Draw Cash from the Consolidated Revenue Fund for Ordinary Annual Services Appropriations (continued)

Particulars	Administered Expenses		Departmental Outputs	Total
	Outcome 1			
Reduction in administered items ²				
Total administered items appropriated	843,000	805,000		843,000
Appropriation Act (No. 1) 2008-2009	400,113	478,381		400,113
Total administered items required by the agency	400,113	478,381		400,113
Total reduction in administered items - effective 2009-2010	442,887	326,619		442,887

¹ In 2008-2009 (and the comparative figure for 2007-2008), this represents the amount calculated under the relevant Appropriation Acts section 8 determination, during the year, in respect of the previous year's administered items.

² This is the first year of administered items being reduced under section 11. Numbers in this section of the table are not rounded.

³ Administered items for 2008-2009 were reduced to these amounts when these financial statements were tabled in the Parliament as part of the Court's 2008-2009 annual report. This reduction is effective in 2009-2010 and the amounts in the Total Reduction row will be reflected in the top section of Table A in the 2009-2010 financial statements in the row 'Administered appropriations reduced (non CAC)'

Notes to and forming part of the Financial Statements

Note 22 Appropriations (continued)

Table C: Acquittal of Authority to Draw Cash from the Consolidated Revenue Fund - Special Appropriation (Refund Provision)

Legal Authority: Financial Management and Accountability Act 1997 - section 28	2009	2008
Purpose: Amounts paid in accordance with the Federal Magistrates Regulations of the Federal Magistrates Act 1999 that are subsequently refunded.	\$'000	\$'000
Cash payments made during the year	148	47
Total charged to special appropriation	148	47
	-	-
<i>Estimated actual</i>	150	47

Note 23: Special Accounts - Exempt Special Public Money

Federal Magistrates Court Litigants Fund Special Account	2009	2008
	\$'000	\$'000
Legal Authority: Financial Management and Accountability Act 1997 : section 21		
Purpose: To hold and disburse money paid into Court in accordance with an order made by the Federal Magistrates Court or a Federal Magistrate under s.15 of the <i>Federal Magistrates Act 1999</i> ; or in any other case in accordance with an order of the Federal Magistrates Court or a Federal Magistrate.		
Balance carried from previous period	56	143
Receipts during the year	92	192
Total credits	148	335
Payments made	59	279
Total debits	59	279
Balance carried to the next period and represented by:	89	56
Cash at bank	89	56
Total balance carried to the next period	89	56

Notes to and forming part of the Financial Statements

Note 24: Reporting of Outcomes

Outcome: To provide the Australian community with a simple and accessible forum for the resolution of less complex disputes within the jurisdiction of the Federal Magistrates Court.

Output: Provision of a Federal Magistrates Court.

Note 24A: Net Cost of Outcome Delivery

	Outcome 1		Total	
	2009 \$'000	2008 \$'000	2009 \$'000	2008 \$'000
Expenses				
Administered	349	557	349	557
Departmental	87,911	78,432	87,911	78,432
Total expenses	88,260	78,989	88,260	78,989
Costs recovered from provision of goods and services to the non-government sector				
Administered	-	-	-	-
Departmental	5,029	2,597	5,029	2,597
Total costs recovered	5,029	2,597	5,029	2,597
Other external income				
Administered				
Fees and fines	19,316	17,405	19,316	17,405
Total administered	19,316	17,405	19,316	17,405
Departmental				
Goods and services income from related entities	20,935	19,538	20,935	19,538
Rental income	418	-	418	-
Total departmental	21,353	19,538	21,353	19,538
Total other external income	40,669	36,943	40,669	36,943
Net cost of outcome	42,562	39,449	42,562	39,449

Net costs shown include intra-government costs that are eliminated in calculating the actual Budget Outcome.

Notes to and forming part of the Financial Statements

Note 24: Reporting of Outcomes (continued)

Note 24B: Major Classes of Departmental Income and Expenses by Output Groups and Outputs

	Output Group 1.1		Outcome 1 Total	
	Output 1.1.1			
	2009 \$'000	2008 \$'000	2009 \$'000	2008 \$'000
Departmental expenses				
Employees	36,574	30,487	36,574	30,487
Suppliers	49,499	46,423	49,499	46,423
Depreciation and amortisation	1,624	1,466	1,624	1,466
Finance costs	49	35	49	35
Write-down and impairment of assets	165	21	165	21
Total departmental expenses	87,911	78,432	87,911	78,432
Funded by:				
Revenues from government	56,524	54,272	56,524	54,272
Sales of goods and services and other revenue	5,029	2,202	5,029	2,202
Rental income	418	395	418	395
Other gains	20,935	19,538	20,935	19,538
Total departmental income	82,906	76,407	82,906	76,407

Notes to and forming part of the Financial Statements

Note 24: Reporting of Outcomes (continued)

Note 24C: Major Classes of Departmental Assets and Liabilities by Outcomes

	Outcome 1		Total	
	2009 \$'000	2008 \$'000	2009 \$'000	2008 \$'000
Departmental assets				
Cash and cash equivalents	649	520	649	520
Trade and other receivables	18,328	20,475	18,328	20,475
Accrued revenue	208	-	208	-
Leasehold Improvements	3,188	3,762	3,188	3,762
Infrastructure, plant and equipment	1,021	908	1,021	908
Intangibles	95	155	95	155
Other Non Financial Assets	351	107	351	107
Total departmental assets	23,840	25,927	23,840	25,927
Departmental liabilities				
Suppliers	1,837	2,198	1,837	2,198
Other payables	1,241	161	1,241	161
Employee provisions	6,520	5,131	6,520	5,131
Other provisions	724	675	724	675
Total departmental liabilities	10,322	8,165	10,322	8,165

Notes to and forming part of the Financial Statements

Note 24: Reporting of Outcomes (continued)

Note 24D: Major Classes of Administered Income, Expenses, Assets and Liabilities by Outcomes

	Outcome 1		Total	
	2009 \$'000	2008 \$'000	2009 \$'000	2008 \$'000
Administered expenses				
Suppliers	208	513	208	513
Write down and impairment of assets	1	-	1	-
Other expenses	140	44	140	44
Total Administered expenses	349	557	349	557
Administered income				
Fees and fines	19,316	17,405	19,316	17,405
Total Administered income	19,316	17,405	19,316	17,405
Administered assets				
Cash and cash equivalents	206	89	206	89
Receivables	12	102	12	102
Total Administered assets	218	191	218	191
Administered liabilities				
Payables	-	189	-	189
Total Administered liabilities	-	189	-	189

Appendix B

Summary resources

Table B.1 Agency Resource Statement 2008–09

	Actual appropriation (\$'000)	Payments made (\$'000)	Balance remaining (\$'000)
Ordinary annual services departmental appropriation^{1 2}			
Prior year departmental appropriation	18 736 ³	16 587	2 149
Departmental appropriation	56 524 ⁴	42 777	13 747
S 30 relevant agency receipts	2 647 ⁵	2 330	317
S 31 relevant agency receipts	4 869	4 869	0
Total	82 776	66 563	16 213
Administered expenses			
Prior year administered appropriation	53 ³	0	5
Outcome 1	843 ⁴	400	443
S 30 relevant agency receipts	25 ⁵	25	0
Total	873	425	448
Total ordinary annual services	83 649	66 988	
Ordinary annual services departmental non-operating			
Previous year's outputs	1 922 ⁶	0	1 922
Total	1 922	0	1 922
Total resourcing and payments⁷	85 571	66 988	

Notes

- 1 Appropriation Bill (No. 1) 2008-09 and Appropriation Bill (No. 3) 2008-09
- 2 Special Public Money special accounts, *Litigants Fund Special Account* and *Other Trust Moneys*, have been excluded from the above table, consistent with the resource Statement in the 2009-10 Budget.
- 3 Appropriations brought forward per Note 22 – Table A adjusted balance brought forward from previous period.
- 4 Departmental Appropriations per Note 22 – Table A Appropriations Act (No. 1 & No. 3) 2008-09.
- 5 Section 30 Receipts per Note 22 – Table A relevant agency receipts (FMA Act s30).
- 6 Balance brought forward per Note 22 – Table B adjusted balance brought forward from previous period.
- 7 Includes cash on hand at 30 June 2009.

Table B.2 Resources for outcomes 2008–09

OUTCOME 1 - To provide the Australian community with a simple and accessible forum for the resolution of less complex disputes within the jurisdiction of the Federal Magistrates Court of Australia.

	Budget (\$'000)	Actual Expenses (\$'000)	Variation (\$'000)
Output Group 1.1¹			
Administered Expenses			
Ordinary annual services (Appropriation Bill No.1)	843	349	494
Departmental Expenses			
Ordinary annual services (Appropriation Bill No.1 & No.3)	61 524	66 976	(5 452)
Expenses not requiring appropriation in the budget year ²	18 216	20 935	(2 719)
Total for Outcome 1	80 583	88 260	(7 677)
Average staffing level (number) 231			

Notes

- 1 Special Public Money special accounts, *Litigants Fund Special Account* and *Other Trust Moneys*, have been excluded from the above table, consistent with the resource statement in the 2009-10 budget.
- 2 Includes resources received free of charge for Australian National Audit Office services and Family Court of Australia registry support services.

Appendix C

Public presentations and conferences attended by federal magistrates

Federal Magistrate	Public presentations made, conferences and other external activities
John Pascoe CFM	<p>Ceremonial Sitings Baker FM, Bender FM, McGuire FM, Monahan FM, Demack FM, Dunkley FM, Walker FM, Cole FM, Willis FM</p> <p>Conferences Judicial Conference of Australia Colloquium, Gold Coast, 10-12 October 2008</p> <p>Presentations</p> <ul style="list-style-type: none">■ 10th Australian Institute of Family Studies Conference, Families Through Life, 'Mental Illness and Social Inclusion', Melbourne, 9-11 July 2008■ Children's Rights International, International Conference on Child Labour and Child Exploitation, Cairns, 3-5 August 2008■ Queensland Law Society and the Family Law Practitioners Association (Queensland), 23rd Calabro Consulting Family Law Residential 2008, 'Opening Plenary Session: National Family Law Directions', Gold Coast, 15-16 August 2008■ Sydney Chamber of Commerce, Legal Forum Lunch, 'Trade Practices Jurisdiction of the Federal Magistrates Court', Sydney, 11 March 2009■ LAWASIA, Children and the Law Conference, 'Trafficking in unborn children', Singapore, 21-23 May 2009 <p>Seminars Legal Aid Commission of Tasmania, Independent Children's Lawyers Advanced Seminar, Hobart, 19 November 2008</p> <p>Facilitation</p> <ul style="list-style-type: none">■ The Inaugural Family Law System Conference, 'The Australian Family Law System: Better Access to Justice' (facilitating session on supporting self represented litigants), Canberra, 19-20 February 2009■ LAWASIA, Family Lawyer Forum, 'Family law on de facto relationships', Singapore, 23 May 2009 <p>Professional Memberships Judicial Conference of Australia</p>
Christine Mead FM	<p>Conferences</p> <ul style="list-style-type: none">■ New Zealand Family Court Judges Conference, Gisborne, New Zealand, 21-24 October 2008■ Indigenous Cultural Awareness Conference, Adelaide, 27 November 2008 <p>Other External Activities South Australian Bar Association Bar Readers' Course (approx. 2 sessions per year)</p>

Federal Magistrate	Public presentations made, conferences and other external activities
Michael Baumann FM	<p>Presentations</p> <ul style="list-style-type: none"> ■ 'A program about style, substance, stamina and the most important document' FLPA Seminar , 20 February 2009 ■ 'Dealing with Family Violence', 13th Annual Family Law Intensive, Melbourne, 2 May 2009 ■ Family Law Council, Newcastle 7 May 2009 ■ 'Recent changes in Practice & Procedure in the Courts', 6th Annual Family Law Summit, Brisbane 19 June 2009
Norah Hartnett FM	<p>Conferences Inaugural Family Law System Conference, Canberra, 19-20 February 2009</p> <p>Presentations Facilitated discussion at the Family Relations Services Conference, Cairns, 5-7 November 2008</p> <p>Professional Memberships</p> <ul style="list-style-type: none"> ■ Family Law Council ■ National Alternative Dispute Resolution Advisory Committee
John Coker FM	<p>Conferences North Queensland Law Association Conference, Townsville, 29-30 May 2009</p> <p>Presentations</p> <ul style="list-style-type: none"> ■ Past Presidents Dinner, North Queensland Law Association, Townsville, 28 May 2009 ■ Chair of Family Law Stream, North Queensland Law Association Conference, Townsville, 29 May 2009 <p>Other External Activities Meeting with representatives of Family Relationships Centre, Rockhampton, 25 September 2008</p>
Rolf Driver FM	<p>Conferences</p> <ul style="list-style-type: none"> ■ International Association of Refugee Law Judges Conference, Cape Town, South Africa January 2009 ■ Insolvency Law Workshop Hamilton Island, March 2009 <p>Professional Memberships</p> <ul style="list-style-type: none"> ■ The International Association of Refugee Law Judges ■ Judicial Conference of Australia <p>Other External Activities</p> <ul style="list-style-type: none"> ■ Federal Court Copyright Trademarks Panel meeting, July 2008 ■ Federal Court Copyright User Group meetings, July 2008 and March 2009 ■ Copyright Council Report Launch, Canberra, November 2008

Federal Magistrate	Public presentations made, conferences and other external activities
Kenneth Raphael FM	<p>Conferences INSOL International Annual Regional Conference, Shanghai, China 14–17 September 2008</p> <p>Presentations Acted as Judge at ‘Promoting Excellence in the Forensic Sciences’, National Institute of Forensic Science, University of Technology Sydney, 9 August 2009</p>
Stuart Roberts FM	<p>Conferences</p> <ul style="list-style-type: none"> ■ Independent Children’s Lawyers Conference, Hobart, 19 November 2008 ■ Addressed the Launceston Family Relationships Centre meeting, 26 February 2009 <p>Professional Memberships</p> <ul style="list-style-type: none"> ■ Family Law Section of the Law Council of Australia ■ Judicial Conference of Australia
Maurice Phipps FM	<p>Presentations</p> <ul style="list-style-type: none"> ■ ‘Spousal Maintenance’, Northern Suburbs Young Lawyers, 13 August 2008 ■ Undergraduate Lecture, Family Law Assistance Program, Monash Campus, 4 December 2008 ■ ‘Shared Care and Parents In Conflict – Recent Experiences’, Family Relationship Centre, Traralgon, 29 May 2009 <p>Other External Activities</p> <ul style="list-style-type: none"> ■ Family Relationship Centre, Traralgon, 26 August 2008 ■ Family Relationship Centre, Ringwood, Dandenong, 21 October 2008 ■ Family Relationship Centre, Frankston, Dandenong, 23 June 2009
Stewart Brown FM	<p>Presentations ‘Binding Child Support Agreements’ Law Society Adelaide, 16 July 2008</p> <p>Other External Activities Chairperson ‘Family Law Update & Important Recent Decisions’ Adelaide, 24 June 2009</p>
Shenagh Barnes FM	<p>Conferences ‘The Use of Interpreters in Courts and Tribunals’, Australasian Institute of Judicial Administration, Fremantle, 12-14 March 2009</p> <p>Other External Activities Chairperson Administrative Law session of the NSW State Legal Conference, Sydney, 27 March 2009</p>
Giles Coakes FM	<p>Conferences ‘Judicial Reasoning: Art or Science?’, National Judicial College of Australia, Australian National University, Canberra, 7-8 February 2009</p> <p>Presentations National Seminar series ‘New De facto Property Regime’, Newcastle, May 2009</p> <p>Professional Memberships</p> <ul style="list-style-type: none"> ■ Bar Association NSW ■ Member of Law Council of Australia – Family Law Section ■ Hunter Valley Family Law Practitioners Association

Federal Magistrate	Public presentations made, conferences and other external activities
Michael Jarrett FM	<p>Conferences Family Law & Pathways Group, 30 July 2008</p> <p>Presentations</p> <ul style="list-style-type: none"> ■ Chair of session at Family Law Residential, 'Principles of Summary Dismissal and Proceeding Undefended', Gold Coast, 15 August 2008 ■ Thomson Legal Alternative Dispute Resolution Program, 'Dispute Resolution in the Federal Magistrates Court', Brisbane, 28 November 2008 <p>Other External Activities</p> <ul style="list-style-type: none"> ■ Liaison meeting with Ipswich Family Relationship Centre, 6 August 2008 ■ Introductory session for Queensland University of Technology (QUT) Interns for placements Semester I, 2009, 13 February 2009 ■ Meeting with Queensland Children's Commissioner, 23 February 2009 ■ Organisation of moot trials with Warden, Bar Practice Course, QUT, 15 April 2009 ■ Liaison meeting with Family Relationships Centre, Rockhampton, 20 May 2009
Sylvia Emmett FM	<p>Conferences Governing council meeting of the Judicial Conference of Australia, Sydney, 14 March 2009</p> <p>Presentations Presentation to Readers of the Bar Practice Course on the Federal Magistrates Court of Australia, Sydney, 16 October 2008 and 14 May 2009</p>
Grant Riethmuller FM	<p>Conferences Aboriginal People & the Justice System, Creswick, 20-22 March 2009</p> <p>Presentations</p> <ul style="list-style-type: none"> ■ Sex, Debts & Discretion, Family Relationships Service, Worrells State Conference Torquay, 2 May 2009 ■ Child Support in the SSAT, SSAT National Meeting, Melbourne, 20 May 2009 <p>Professional Memberships</p> <ul style="list-style-type: none"> ■ Law Council of Australia – Family Law Section ■ Judicial Conference of Australia <p>Other External Activities</p> <ul style="list-style-type: none"> ■ Child Support National Stakeholder Engagement Group ■ CCH – Consultant Editor for Child Support Handbook and Federal Magistrates Court Handbook
Michael Lloyd-Jones FM	<p>Professional Memberships</p> <ul style="list-style-type: none"> ■ Chairman, Advisory Board to the Centre of Media and Communications Law, Faculty of Law, University of Melbourne ■ Judicial Conference of Australia ■ International Association of Refugee Law Judges ■ Australian Corporate Lawyers Association ■ Bar Association of NSW ■ NSW Law Society (Honorary Judicial Member)

Federal Magistrate	Public presentations made, conferences and other external activities
<p>Robyn Sexton FM</p>	<p>Conferences Inaugural Family Law System Conference, Canberra, 19-20 February 2009</p> <p>Presentations</p> <ul style="list-style-type: none"> ■ 'Running De facto Property Matters in the Federal Magistrates Court under the new legislation', NSW Young Lawyers Annual Family Law Seminar, Sydney NSW, 7 March 2009 ■ 'Running De facto Property Matters in the Federal Magistrates Court under the new legislation', Legal Aid, Sydney, NSW 23 March 2009 ■ 'Running De facto Property Matters in the Federal Magistrates Court under the new legislation', College of Law Masters of Applied Family Law, Sydney NSW, 30 April 2009 ■ 'Running De facto Property Matters in the Federal Magistrates Court under the new legislation', Continuing Legal Education Family Law Day, Sydney NSW, 19 June 2009 <p>Professional Memberships</p> <ul style="list-style-type: none"> ■ Family Law Council ■ Family Law Council Family Violence Committee ■ Australian Women Lawyers Association ■ International Association of Women Judges ■ Australian Association of Women Judges
<p>Kevin Laphorn FM</p>	<p>Conferences New Zealand Family Court Conference, Gisborne, New Zealand, 22-24 October 2008</p> <p>Presentations Greater Newcastle Gateway Project, Family Pathways Network, 14 November 2008</p> <p>Professional Memberships</p> <ul style="list-style-type: none"> ■ Judicial Conference of Australia ■ Australian Institute of Judicial Administration ■ Association of Family and Conciliation Courts ■ Family Law Section of the Law Council of Australia ■ New South Wales Bar Association ■ Bar Association of Queensland ■ Hunter Valley Family Law Practitioners Association
<p>Keith Slack FM</p>	<p>Conferences</p> <ul style="list-style-type: none"> ■ Family Law Practitioners Association, Continuing Legal Education (CLE) Conference, Brisbane, 19-20 February 2009 ■ Family Law Residential, Gold Coast, 15 August 2008 <p>Presentations</p> <ul style="list-style-type: none"> ■ 'Child Support – Where are we now?', Brisbane, 16 August 2008 ■ 'Fundamentals of Family Law Practice', Brisbane, 20 February 2009 ■ 'Property Applications in the Family Court', Lawyer Practice Manual, 2009 ■ 'Child Support Agency Workshop', Brisbane, 11 June 2009 <p>Professional Memberships Queensland Bar Association</p>

Federal Magistrate	Public presentations made, conferences and other external activities
Keith Slack FM [cont]	<p>Other External Activities</p> <ul style="list-style-type: none"> ■ Child Support Agency Training Film, 'Decision Making under Child Support Legislation', Brisbane, April 2009 ■ Mentoring Griffith University students
Louise Henderson FM	<p>Conferences</p> <ul style="list-style-type: none"> ■ Dr Julie Stone 'High Conflict Divorce: What's in the children's best interests? Some thoughts from a clinician', Wodonga, Victoria, 24 November 2008 ■ Family Pathways Network Conference 'What About Me?: Children and Separation', participated in panel discussion, Albury, NSW, 25 May 2009 <p>Presentations</p> <ul style="list-style-type: none"> ■ Relationships Australia, Penrith (with Justice Stevenson, Gail Passier and Karen Gabriel), 31 July 2008 ■ 'Brief overview of the Family Law System in Australia and 2006 Amendments', Family Pathways Network, Albury Wodonga, 27 April 2009 <p>Professional Memberships NSW Bar Association</p> <p>Other External Activities</p> <ul style="list-style-type: none"> ■ Hosted meeting between representatives of the Legal Aid Commission and Parramatta Federal Magistrates, Regional Dispute Resolution Coordinator, Manager of Dispute Services and Collier J, Parramatta Federal Magistrates Court of Australia Chambers, 19 March 2009 ■ Spoke at function at the Albury Children's Contact Service, Albury, NSW, 30 April 2009
Kate Hughes FM	<p>Conferences Indigenous Law Conference, Creswick, Victoria, 21 March 2009</p> <p>Presentations 'Child Support Decision Making', Child Support Agency, Melbourne, 17 June 2009</p>
Heather Riley FM	<p>Conferences International Association of Refuge Law Judges, Cape Town, South Africa, 28-30 January 2009</p> <p>Presentations 'Current Case Law – Important Cases under the Microscope with Justice Lingren', 7th Insolvency and Trustee Service Australia Bankruptcy Congress – Unravelling the Complexities, Sydney, 30-31 October 2008</p>
Philip Burchardt FM	<p>Conferences Australasian Institute of Judicial Administration Lecture on International Family Justice, Commonwealth Law Courts Building, 30 October 2008</p> <p>Presentations 'The Industrial Jurisdiction of the Federal Magistrates Court', Workforce Annual Conference, 9 September 2008</p> <ul style="list-style-type: none"> ■ The Industrial Bar Association ■ Intellectual Property Committee of the Law Council of Australia ■ The Maritime Law Association of Australia and New Zealand

Federal Magistrate	Public presentations made, conferences and other external activities
Philip Burchardt FM [cont]	<p>Other External Activities</p> <ul style="list-style-type: none"> ■ Junior Family Lawyers Committee, 26 September 2008 ■ Life in the Law Discussion Group, Federal Magistrates Court, 6 October 2008 ■ AJJA Lecture on International Family Justice delivered by the RT Hon Lord Justice Matthew Thorpe at the Lord Justice of Appeal Family Court, 30 October 2008 ■ Law Institute of Victoria – Family Law Courts Committee, 9 June 2009
Toni Lucev FM	<p>Conferences</p> <ul style="list-style-type: none"> ■ Cairns Law Conference, Cairns 11 July 2008 ■ Judicial Conference Australia, Surfers Paradise, 10-11 October 2008 <p>Presentations</p> <ul style="list-style-type: none"> ■ 'Workplace Relations and the Constitution: The Development and Expansion of the Federal Jurisdiction over Workplace Relations in Australia', 5th Annual Cairns Law Conference, Cairns, 11 July 2008 ■ 'Jurisdiction of the FMC in Maritime Matters', Maritime Law Association of Australia and New Zealand, 35th Annual Conference 2008, Fremantle, 13 November 2008 ■ 'Fair Work – A Further Expansion of Federal Workplace Relations', University of Western Australia and The Law Society of Western Australia, Summer School 2009, Crawley, 20 February 2009 ■ 'The New Workplace Relations Laws, Overview of the New Industrial Relations System', Legalwise Seminars Pty Ltd, Perth, 26 February 2009 ■ 'Explaining aspects of the Fair Work Act', Australian Human Resources Institute Session, Human Resources & Industrial Relations presentation (Special Interest Group), Perth, 25 June 2009 <p>Professional Memberships</p> <ul style="list-style-type: none"> ■ Industrial Relations Society of Western Australia ■ Western Australian Bar Association (Honorary Judicial Member) ■ Judicial Conference of Australia ■ Australian Institute of Judicial Administration <p>Other External Activities</p> <p>State Indigenous Justice Committee, Perth (Supreme Court of Western Australia)</p>
Keith Wilson FM	<p>Conferences</p> <p>'Judicial Reasoning: Art or Science?', National Judicial College of Australia, Australian National University, Canberra, 7-8 February 2009</p> <p>Professional Memberships</p> <p>Bar Association of Queensland</p>
Frank Turner FM	<p>Conferences</p> <ul style="list-style-type: none"> ■ Aboriginal People and the Justice System, Creswick, 20-22 March 2009 ■ Native Title Twilight Workshop, Supreme Court Melbourne, 19 May 2009 ■ Admiralty Seminar, Federal Court Melbourne, 21 May 2009

Federal Magistrate	Public presentations made, conferences and other external activities
Robert Cameron FM	<p>Conferences</p> <ul style="list-style-type: none"> ■ Judicial Conference of Australia Colloquium, Surfers Paradise, 10-12 October 2008 ■ Australian Labour Law Association biennial conference, Melbourne, 14-15 November 2008 <p>Presentations</p> <p>'The Federal Magistrates Court and Workplace Relations', Australian Council of Trade Unions Industrial Officers' Conference, Melbourne, 22-23 April 2009</p> <p>Professional Memberships</p> <ul style="list-style-type: none"> ■ Judicial Conference of Australia ■ Australian Labour Law Association ■ Australian Insurance Law Association ■ NSW Law Society (Honorary Judicial Member)
Tom Altobelli FM	<p>Presentations</p> <ul style="list-style-type: none"> ■ 'A Response To A Cautionary Tale: Painting With A Fine Brush', College of Law/Queensland Law Society Family Law Conference, 20 July 2008 ■ 'The Attributes of a UWS Law Graduate: Dealing With Complexity and Change', University of Western Sydney Alumni Association, 29 October 2008 ■ Speech at launch of Young Lawyers Family Law Handbook, 24 November 2008 ■ 'Family Dispute Resolution and Adapting to Change: Some Reflections on the Thinking Chameleon', Interrelate Caringbah AGM, Caringbah NSW, 25 November 2008: ■ 'Reflections from the Bench on Law and Faith', Lawyers Christian Fellowship Annual Christian Function Speech, 6 December 2008 ■ Compass Fellowship Leadership Conference, Brisbane, 22 January 2009 ■ Launch of 'Mediating with Families 2nd Edition' at Law Society of NSW, Sydney, 9 March 2009 ■ 'The Importance of Family Dispute Resolution' panel member at University of Sydney Law School Building opening, University of Sydney, Sydney NSW, 30 April 2009 ■ 'Family Violence Cases: Tough Cases to Run, Tough Cases to Decide' St George & Sutherland Shire Regional Law Society, 6 May 2009 ■ 'Family Violence Cases: Tough Cases to Run, Tough Cases to Decide', Relationships Australia North Ryde, North Ryde NSW, 19 May 2009 ■ 'Reflections From the Bench on Law and Faith', University of New South Wales, Kensington NSW, 21 May 2009 ■ Paper 'Family Violence and Parenting: Future Directions in Practice', Australian Family Lawyers Conference, Denarau Island, Fiji, 5-8 June 2009 ■ Opening address 'The Importance of What We Do As Family Lawyers', University of New South Wales Family Law Seminar, 23 June 2009 <p>Professional Memberships</p> <ul style="list-style-type: none"> ■ Law Society of New South Wales ■ Family Law Section, Law Council of Australia <p>Other External Activities</p> <ul style="list-style-type: none"> ■ Adjunct Professor, School of Law, University of Western Sydney ■ Editorial board, Australian Journal of Family Law

Federal Magistrate	Public presentations made, conferences and other external activities
Tom Altobelli FM [cont]	<p>Other External Activities</p> <ul style="list-style-type: none"> ■ Editorial Board, Australasian Dispute Resolution Journal ■ FMC Representative, Family Issues Committee, Law Society of NSW ■ Member, Expert Advisory Working Party on use of Alternative Dispute Resolution in Child Protection Matters, NSW Government
Michael Burnett FM	<p>Conferences Insolvency Practitioners Association 2009 National Conference, Perth 27-29 May 2009</p> <p>Professional Memberships</p> <ul style="list-style-type: none"> ■ Insolvency Practitioners Association ■ Judicial Conference of Australia ■ Australian Chapter, International Association of Refugee Law Judges <p>Other External Activities Summer School, Competition Law & Policy, London School of Economics, London August 2008</p>
Stephen Coates FM	<p>Professional Memberships</p> <ul style="list-style-type: none"> ■ Bar Association of Queensland ■ IJC Committee
Leanne Spelleken FM	<p>Presentations</p> <ul style="list-style-type: none"> ■ Queensland Law Society – Best Practice Guide (Children's Focus), Brisbane, 26 November 2008 ■ Queensland Law Society – Gladstone Workshop, Gladstone, 19 February 2009 <p>Professional Memberships Family Law Section Law Council of Australia</p>
Charlotte Kelly FM	<p>Conferences Indigenous Cultural Awareness Conference, Adelaide, 27 November 2008</p> <p>Seminars</p> <ul style="list-style-type: none"> ■ De facto Property Amendments, Adelaide, 19 February 2009 ■ 'Stress and Sleep', Adelaide, 19 March 2009 ■ 'Modern Forms of Communication: How they are used and misused?', Adelaide, 13 May 2009 <p>Presentations</p> <ul style="list-style-type: none"> ■ 'Life as a Federal Magistrate', Women Lawyers Association, Adelaide, 21 August 2008 ■ 'Family Law – New De facto Legislation', Legal Education Teachers Association, Adelaide, 29 August 2008 ■ 'Changes in Family Law', Women Lawyers Association Annual General Meeting, Adelaide, November 2008 <p>Professional Memberships</p> <ul style="list-style-type: none"> ■ Law Society of South Australia ■ Women Lawyers Association ■ Australian Association of Women Judges ■ Family Law Section, Law Council of Australia ■ Judicial Conference of Australia ■ National Judicial College of Australia

Federal Magistrate	Public presentations made, conferences and other external activities
Janet Terry FM	<p>Presentations</p> <ul style="list-style-type: none"> ■ National Judicial College Seminar, Darwin 8 September 2008 ■ Industrial Relations Seminar, Darwin, 18 September 2008
Denys Simpson FM	<p>Conferences</p> <ul style="list-style-type: none"> ■ Judicial Conference of Australia Colloquium, Gold Coast, 10-12 October 2008 ■ 7th Insolvency and Trustee Service Australia Bankruptcy Congress – Unravelling the Complexities, Sydney, 30-31 October 2008 <p>Presentations</p> <p>'Running Civil and Commercial Matters in the Federal Magistrates Court' Chair and speaker, Law Society of South Australia, Adelaide, 12 November 2008</p> <p>Professional Memberships</p> <ul style="list-style-type: none"> ■ Judicial Conference of Australia ■ Australian Institute of Judicial Administration ■ Industrial Relations Society of South Australia <p>Other External Activities</p> <p>Instructor at Law Society of South Australia 'Advocacy Training Course', 25 October 2008</p>
Warwick Neville FM	<p>Presentations</p> <ul style="list-style-type: none"> ■ Continuing Legal Education session, 'Family Law', Wagga Wagga, 11 February 2009 ■ Launch of NSW Legal Aid Recovery Order Information Kit, Wagga Wagga, 13 May 2009 <p>Professional Memberships</p> <ul style="list-style-type: none"> ■ Judicial College of Australia ■ Thomas More Society ■ Australian Bioethics Association
Dale Kemp FM	<p>Presentations</p> <ul style="list-style-type: none"> ■ 'Practice and Procedure', Young Lawyers ■ Family Law Update, Centre for Continuing Legal Education University of NSW ■ Interim parenting issues, North Shore Family Lawyers Practice Group ■ Postgraduate Student Introduction to Federal Magistrates Court, Faculty of Law UNSW International Education ■ 'Running Defacto Property Matters in the Federal Magistrates Court', North Metropolitan Law Society <p>Professional Memberships</p> <p>Board of Anglo Australian Lawyers Society</p>
Paul Howard FM	<p>Presentations</p> <ul style="list-style-type: none"> ■ 'Roam Around the World', LAWASIA Conference, Singapore, 20 May 2009 ■ 'International Relocation: A Modern Australian Perspective on the Tyranny of Distance', LAWASIA Conference, Kuala Lumpur, 23 October 2008 <p>Professional Memberships</p> <ul style="list-style-type: none"> ■ Member of the Bar Association of Queensland (Judicial Section) ■ Member, Australian Representative Family Law Section Executive of LAWASIA ■ Member, Judicial Section, LAWASIA

Federal Magistrate	Public presentations made, conferences and other external activities
Susan Purdon-Sully FM	<p>Conferences Judgment Writing Course, National Judicial College of Australia, Glenelg, 21–23 September 2008</p> <p>Professional Memberships</p> <ul style="list-style-type: none"> ■ Family Law Section, Law Council of Australia ■ International Academy of Matrimonial Lawyers ■ International Association of Women Judges ■ Women Lawyers Association of Queensland ■ Association of Family and Conciliation Courts Family Law Section <p>Other External Activities</p> <ul style="list-style-type: none"> ■ Queensland University of Technology, Internship Poster Showcase Evening 11 May 2009 ■ Supreme Court of Queensland Library, Collection Sub-Committee
Margaret Cassidy FM	<p>Conferences</p> <ul style="list-style-type: none"> ■ Judicial Conference of Australia Colloquium, Gold Coast, 10-12 October 2008 ■ Collaborating Down Under; Collaborative Professionals (NSW), Sydney, 26-29 March 2009 ■ Aboriginal & Torres Strait Island People and the Law in Queensland, St Lucia 21-22 May 2009 <p>Professional Memberships Judicial Conference of Australia</p>
Evelyn Bender FM	<p>Conferences</p> <ul style="list-style-type: none"> ■ Independent Children's Lawyer Conference, Tasmania, 19 October 2008 ■ Aboriginal People & The Justice System Conference, Creswick, 21-22 March 2009 <p>Presentations</p> <ul style="list-style-type: none"> ■ 'Professional Development Committee', The Point, Albert Park, 21 October 2008 ■ 'Working with Section 60I Certificates: More Questions Than Answers', Law Institute of Victoria, 18 May 2009 ■ 'Determining children's matters after the 2006 amendments and the interrelationship between intervention orders and family law orders.' Children's Court, Melbourne, 22 May 2009
Anne Demack FM	<p>Presentations 'Making urgent applications in the Federal Magistrates Court and Family Court' Central Queensland Law Association Conference, Rockhampton, 7 November 2008</p> <p>Professional Memberships</p> <ul style="list-style-type: none"> ■ Family Law Practitioners Association ■ Bar Association of Queensland ■ Family Law Section of Law Council of Australia <p>Other External Activities Child Safety & Family Court Interface Meeting with the Commission for Children and Young People and Child Guardian, 23 February 2009</p>

Federal Magistrate	Public presentations made, conferences and other external activities
Judith Walker FM	<p>Presentations 'Overview of the New De facto Legislation', Australian Dispute Resolution Association Family Dispute Resolution Conference, Sydney, 2 May 2009</p> <p>Professional Memberships Law Society of NSW, Family Issues Committee</p>
David Dunkley FM	<p>Conferences 'Judicial Reasoning: Art or Science?', National Judicial College of Australia, Australian National University, Canberra, 7-8 February 2009</p> <p>Presentations</p> <ul style="list-style-type: none"> ■ 'Managing client expectations in light of the 'best interests of the child' principle and general parenting issues', NSW Young Lawyers, Sydney, 7 March 2009 ■ Children & Parental Responsibility Workshop, Applied Family Law Program, College of Law, St Leonards NSW, 29 April 2009 ■ 'Collaborative Law', Blue Mountains Law Society, Katoomba NSW, 26 June 2009 <p>Professional Memberships</p> <ul style="list-style-type: none"> ■ Honorary Member, Law Society of NSW ■ Honorary Member, Blue Mountains Regional Law Society ■ Family Law Section, Law Council of Australia
Geoffrey Monahan FM	<p>Presentations 'Divorce, Children & Parental Responsibility', Introduction Lecture, College of Law Victoria, 20 April 2009</p> <p>Professional Memberships</p> <ul style="list-style-type: none"> ■ International Bar Association ■ Law Society of NSW ■ Family Law Section, Law Council of Australia ■ Society of Notaries of NSW <p>Other External Activities International Bar Association, Judges Forum, Communications Officer</p>
Peter Cole FM	<p>Presentations</p> <ul style="list-style-type: none"> ■ Panel Member, Family Law Practitioners Association Conference, Perth, 16 May 2009 ■ Convenor, Family Law Conference, Bali, 30 - 31 May 2009 <p>Professional Memberships</p> <ul style="list-style-type: none"> ■ Member Law Society SA ■ Member Law Society WA ■ Member Australasian Institute of Judicial Administration ■ Member Family Law Practitioners Association WA and Qld ■ Member Law Council of Australia (Family Law Section)

Appendix D

Staffing levels

Table D.1 Staffing levels by location, gender and classification

Salary Level	Gender	ACT	NSW	NT	QLD	SA	TAS	VIC	WA	Total
SES 1	Female									
	Male		1							1
EL 2	Female				1			1		2
	Male		1			1		2		4
EL 1	Female		10		4		2	6		22
	Male		3	1		1				5
APS 6	Female	1	4			2		1		8
	Male				1					1
APS 5	Female	3	24	1	16	6	2	17	1	70
	Male		2			1		2		5
APS 4	Female	2	18	1	8	5	1	15	2	52
	Male		6		6	1	1	5		19
APS 3	Female							6		6
	Male		1		1			1		3
TOTAL		6	70	3	37	17	6	57	3	198

Notes

The above table represents a snapshot as at 30 June 2009. It does not represent the average staffing level throughout the year.

Part-time staff are shown as a percentage of a full-time equivalent.

Staff employed on a casual basis are not included.

Positions that were vacant on 30 June 2009 are not included.

Staff who were inoperative at 30 June 2009 (eg on long-term leave) are not included.

Table D.2 Performance pay by classification

Classification payments	Salary level	Eligible staff	Average payment	Total
Executive Level 2	\$93 771 – \$108 622	6	\$3 784.86	\$22 709.15
Executive Level 1	\$81 371 – \$85 831	13	\$2 270.04	\$29 510.55
APS 6	\$63 639 – \$68 099	4	\$2 119.86	\$8 479.44
APS 5	\$58 744 – \$63 204	13	\$1 889.12	\$24 558.57
APS 4	\$53 305 – \$57 765	3	\$1 732.95	\$5 198.85
APS 3	\$46 125 – \$51 455	2	\$1 543.65	\$3 087.30
TOTAL		41		\$93 543.86

Table D.3 Staff covered by the collective agreement

Classification	Female	Male	Total
Executive Level 2	1	1	2
Executive Level 1	21	5	26
APS 6	6	1	7
APS 5	68	5	73
APS 4	52	19	71
APS 3	6	3	9
TOTAL	154	34	188

Table D.4 Staff covered by other agreements*

Level	Australian Workplace Agreements			Common Law Contracts			Determination 24 Arrangements		
	Female	Male	Total	Female	Male	Total	Female	Male	Total
SES 1		1	1						
EL 2	2	2	4				1		1
EL 1	1		1	1		1	2	1	3
APS 6	2		2						
APS 5	2		2						
APS 4									
APS 3									
TOTAL	7	3	10	1		1	3	1	4

* As at 30 June 2009 there were 11 AWAs in place, four of these were supplemented by Agency Head determinations made under section 24(1) of the *Public Service Act 1999*. One employee covered by the collective agreement had their terms and conditions supplemented by a common law contract.

Table D.5 Australian Workplace Agreements minimum and maximum salary ranges by classification

Classification	Salary Range
SES Band 1	\$133 094 – \$178 381
Executive Level 2	\$119 945 – \$140 060
Executive Level 1	\$98 042
APS 6	\$73 010
APS 5	\$63 204 – \$65 098

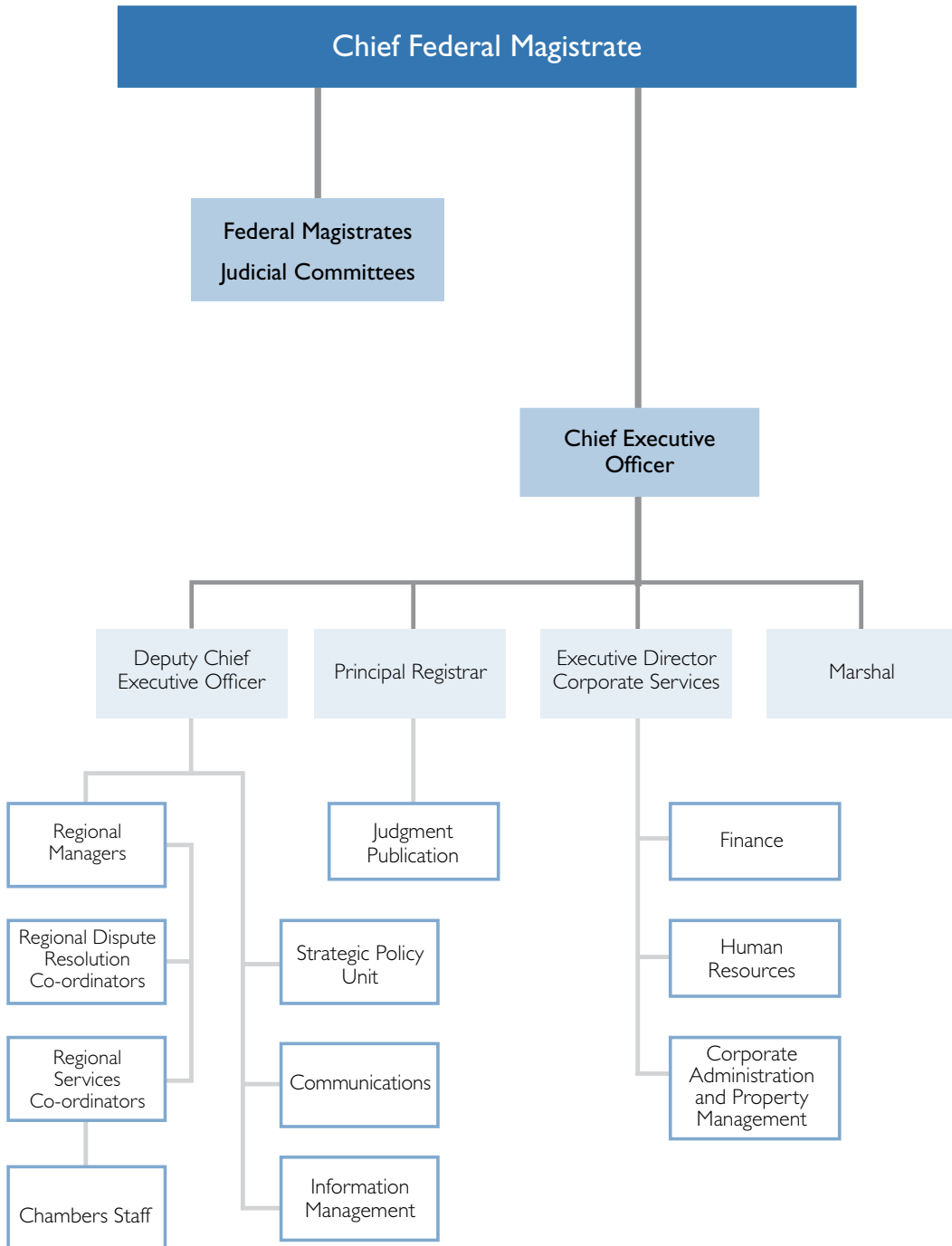
Judicial officers

Table D.6 Judicial officers by location

Location	Federal Magistrates
ACT	2
NSW	Chief Federal Magistrate 21 Federal Magistrates
NT	1
QLD	13
SA	6
TAS	2
VIC	14
Total	61

Appendix E

Organisational structure



Appendix F

Consultancies

The Court engages consultancy services in circumstances where it requires particular skills and/or expertise that is unavailable with internal resources.

During 2008–09:

- one new consultancy contract was let; no expenditure was incurred on this contract
- two ongoing consultancy contracts were active, involving actual expenditure of \$2094.40 (GST inclusive).

Information on contracts and consultants for 2008–09 is available from the AusTender website at <http://www.tenders.gov.au>

Table F.1 Consultancy Services of \$10 000 or more

Consultant Name	Description	Selection Process	Justification	Contract Price
Christopher M Doogan AM	Provision of chair services to Audit & Risk Committee	Direct sourcing	B	\$14 080.00
			Total	\$14 080.00


(1) Explanation of selection process terms drawn from the Commonwealth Guidelines (January 2005):

Open Tender - A procurement procedure in which a request for tender is published inviting all businesses that satisfy the conditions for participation to submit tenders. Public tenders are sought from the marketplace using national and major metropolitan newspaper advertising and the Australian Government AusTender internet site.

Select Tender - A procurement procedure in which the procuring agency selects which potential suppliers are invited to submit tenders. Tenders are invited from a short list of competent suppliers.

Direct Sourcing - A form of restricted tendering, available only under certain defined circumstances, with a single potential supplier or suppliers being invited to bid because of their unique expertise and/or their special ability to supply the goods and/or services sought.

Panel - An arrangement under which a number of suppliers, usually selected through a single procurement process, may supply property or services to an agency as specified in the panel arrangements. Tenders are sought from suppliers that have pre-qualified on the agency panels to supply to the government. This category includes standing offers and supplier panels where the consultant offers to supply goods and services for pre-determined length of time, usually at a pre-arranged price.



(2) Justification for decision to use consultancy:

A – Skills currently unavailable within agency

B – Need for specialised or professional skills

C – Need for independent research or assessment

Exempt Contracts

During the reporting period no contract or standing offer in excess of \$10 000 was exempt from publication on AusTender on the basis that publication would disclose exempt matters under the *Freedom of Information Act 1982*.

Appendix G

Legal Services Directions 2005

Paragraph 11.1 of the *Legal Services Directions 2005* states that the Chief Executive Officer of the Court has the responsibility for ensuring that:

- arrangements for legal services are handled efficiently and effectively
- appropriate systems and procedures are in place to comply with these directions.

In accordance with paragraph 11.1 (ba) of the *Legal Service Directions 2005*, the Court incurred the following legal services expenditure during 2008–09:

Table G.1 Legal Services Expenditure

	Expenditure \$'000 GST inclusive
A J Dever Pty Ltd	11 676
Australian Government Solicitor	9 852
Total external legal services expenditure	21 528
Total internal legal services expenditure	0

Table G.2 Details of External Legal Services Expenditure

	Expenditure \$'000 GST inclusive
Value of counsel briefs	11 676
Disbursement excluding counsel	306
Professional fees paid	9 547
Total	21 528

Pursuant to paragraph 11.2 of the *Legal Service Directions 2005*, the Acting Chief Executive Officer has issued a Certificate to the Office of Legal Services Coordination of the Attorney-General's Department stating that the Federal Magistrates Court of Australia:

- has appropriate systems and procedures in place to ensure compliance with the Directions
- has no record of any alleged, possible or determined breach of the Directions during the 2008–09 financial year.

Appendix H

Advertising and market research

A total of \$38 076 was paid for recruitment advertising. This represents a reduction of 70 per cent over the previous year.

The advertising agency HMA Blaze was paid \$37 203. This represents the only payment for recruitment advertising services greater than \$10 500 (incl. GST).

No market research activities were conducted; the Court did not employ the services of polling or direct mail organisations.

Appendix I

Fraud Control Certification

In accordance with guideline 2.8 of the Commonwealth Fraud Control Guidelines 2002, issued by the Minister for Justice and Customs, pursuant to Regulation 19 of the *Financial Management and Accountability Regulations 1997*, I hereby certify that I am satisfied that:

- the Federal Magistrates Court has prepared fraud assessments and has in place a fraud control plan that complies with the Guidelines
- appropriate fraud prevention, detection, investigation and reporting procedures and process are in place
- annual fraud data has been collected and reported that complies with the Guidelines.



Richard Foster PSM
Acting Chief Executive Officer
Federal Magistrates Court

14 July 2009

Appendix J

Circuit locations

Australian Capital Territory	Bega*
	Wagga Wagga*
New South Wales	Albury
	Armidale
	Broken Hill
	Coffs Harbour
	Dubbo
	Lismore
	Orange
	Port Macquarie
	Tamworth
	Wauchope
	Wollongong
Northern Territory	Alice Springs
Queensland	Bundaberg
	Hervey Bay
	Ipswich
	Mackay
	Maroochydore
	Rockhampton
	Southport
	Toowoomba
South Australia	Mt Gambier
Tasmania	Burnie
	Devonport
Victoria	Ballarat
	Bendigo
	Castlemaine
	Dandenong
	Geelong
	Hamilton
	Mildura
	Moe (Gippsland)
	Shepparton
	Warrnambool

* Filings for this location managed by the Australian Capital Territory registry

Appendix K

Ecologically sustainable development and environmental performance

Section 516A of the *Environment Protection and Biodiversity Conservation Act 1999* requires agencies to report on their contribution to ecologically sustainable development.

The Court does not administer any legislation or have any appropriations directly related to this issue.

Appendix L

Statement under Section 8 of the *Freedom of Information Act 1982*

Section 5 of the *Freedom of Information Act 1982* provides that the Act does not apply to any request for access to a document of the Court unless the document relates to matters of an administrative nature.

Inquiries concerning access to documents or freedom of information matters generally should be directed to:

Chief Executive Officer
Federal Magistrates Court of Australia
GPO Box 9991
CANBERRA ACT 2601

Access to information outside the *Freedom of Information Act*

Rule 2.08 of the *Federal Magistrates Court Rules* provides that a search of the Court's records may be undertaken by: the Attorney-General (in family law proceedings), a party, a lawyer for a party, a child representative (in family law proceedings) or a person granted leave by the Court or a registrar. Leave may be granted if a proper interest is shown and may be subject to conditions.

Categories of documents

The registries of the Federal Court and Family Court maintain the following categories of documents on behalf of the Court:

- documents relating to matters heard by the Court including applications, affidavits, transcripts, orders and copies of judgments
- registers and indexes of matters coming to the Court
- general correspondence.

The Federal Magistrates Court maintains the following categories of documents:

- general correspondence
- documents concerning the development and implementation of policy, guidelines and procedures
- documents concerning the Court's administrative and financial operations.

Appendix M

Correction of material errors

The following table provides corrections to errors contained in the 2007–08 Annual Report.

Table M.1 Corrections to the 2007–08 Annual Report

Page	Correction
35 – 45	In figures 18 through to 26 incorrect dates were shown. The dates should be: 2006–07 should be 2007–08 2005–06 should be 2006–07 2004–05 should be 2005–06
42	The total number of migration applications filed in the Court in 2005-06, as shown in Figure 24, was incorrectly reported as 1551. The correct figure is 1552.
84	In the Financial Statements Income Statement, the finance cost was incorrectly stated as 500. The correct figure is 0.
117	Notes 22B and 22C were superimposed upon other content. The notes are reproduced again at Figure M.2 opposite.
138	Elizabeth Munro should be Elizabeth Montano.

Table M.2 FMC Annual Report 2007–2008: Note 22B and 22C

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

Note 22B: Major Classes of Departmental Revenues and Expenses by Output Groups and Outputs

	Output Group 1.1		Output Total	
	2008 \$'000	2007 \$'000	2008 \$'000	2007 \$'000
Outcome 1				
Departmental expenses				
Employees	30,487	23,668	30,487	23,668
Suppliers	45,972	37,614	45,972	37,614
Depreciation and amortisation	1,381	580	1,381	580
Other expenses	21	-	21	-
Total departmental expenses	77,861	61,862	77,861	61,862
Funded by:				
Revenues from government	73,810	63,539	73,810	63,539
Sales of goods and services and other revenue	2,202	310	2,202	310
Total departmental revenues	76,012	63,849	76,012	63,849

Net costs shown include intra-government costs that are eliminated in calculating the actual Budget outcome.

Note 22C: Major Classes of Administered Revenues and Expense by Outcomes

	Outcome 1		Total	
	2008 \$'000	2007 \$'000	2008 \$'000	2007 \$'000
Administered revenues				
Other non-taxation revenues	17,405	15,707	17,405	15,707
Total Administered Revenues	17,405	15,707	17,405	15,707
Administered expenses				
Suppliers	513	350	513	350
Other	44	38	44	38
Total Administered Expenses	557	388	557	388

Net costs shown include intra-government costs that are eliminated in calculating the actual Budget outcome.

Glossary

Affidavit	A written statement by a party or witness. An affidavit is the main way of presenting the facts of a case to the Court.
Appeal	An application to a higher court to review a decision of a lower court or tribunal.
Applicant	The individual, organisation or corporation who/which applies to the Court to commence legal proceedings against another person or persons. Also known as 'plaintiff' in admiralty and corporations matters and in some other courts.
Application	The document that starts most proceedings in the Court.
Case	The matter before the Court.
Circuit	A place the Court regularly visits in rural and regional Australia.
Dispute resolution	Procedures and services to help resolve disputes before or during a court hearing without the need for a judicial decision. It may include mediation, conciliation or counselling.
Docket system	A system by which each case is allocated to a particular federal magistrate who generally manages the matter from commencement to disposition.
Filing	The process of the Court accepting a document or documents lodged by a party to a proceeding.
Interlocutory application	Interlocutory proceedings are for dealing with a specific issue in a matter – usually between the filing of the application and the giving of the final hearing and decision.
Judgment	The final order or set of orders made by the Court after a hearing, often accompanied by reasons which set out the facts and law applied in the case. A judgment is said to be 'reserved' when the Court postpones the delivery of the judgment to a later date to allow time to consider the evidence and submission. A judgment is said to be 'ex tempore' when the Court gives the judgment orally at the hearing or very shortly thereafter.

Jurisdiction	The extent of legal authority or power of the Court to apply the law.
Litigants	Individuals, organisation or companies who/which are the parties to a proceeding before the Court.
Orders	A court order is a document that sets out what the parties must do. Orders can be urgent, interim (temporary) or final. Courts usually have wide-ranging powers to make orders to enforce judgments.
Parties	People involved in a court case. Applicants, respondents and defendants are generally called 'parties'.
Pro bono	Legal work performed without charge for litigants who cannot afford the cost of a solicitor and are not eligible for legal aid. Pro bono legal work is done at a substantially reduced rate or in some circumstances, at no cost.
Proceeding	The regular and orderly progression of a matter including all acts and events between the time of commencement and judgment.
Registrar	A Court lawyer who has been delegated power to perform certain tasks on behalf of a federal magistrate; e.g., grant divorces, sign consent orders and determine the next step in a case.
Regulations	The Federal Magistrates Regulations 2000 which prescribe the filing and other fees that must be paid in relation to proceedings in the Court.
Rules	Rules made by the federal magistrates which set out the procedures for conducting a proceeding in the Court. The rules of the Federal Magistrates Court are the <i>Federal Magistrates Court Rules 2001</i> and the <i>Federal Magistrates Court (Bankruptcy) Rules 2006</i> .
Self-represented litigant	A party to a matter who does not have legal representation and represents themselves before the court.
Supplementary document	Any document lodged against an existing cause of action that does not attract a fee and does not require follow up action by court staff once lodged

Compliance with annual report requirements

This is a guide to the report's compliance with the Requirements for Annual Reports as approved by the Joint Committee of Public Accounts and Audit under subsections 63(2) and 70(2) of the *Public Service Act 1999*.

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