



feesynergy

Better Cash Flow- Better Business

NEWS

AUTUMN
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Introduction

Welcome to the Autumn edition of FeeSynergy's quarterly client newsletter. This edition includes a range of articles which we trust you will find of interest. In particular we are delighted to include an interview with Cheree Woolcock, CEO/Managing Partner of DFK Benjamin King Money. Thanks also to Westpac, Nicholson Ryan Lawyers and our very own Jonathan Shakes for their contributions. Enjoy the read!

Malcolm Ebb – Founder and Managing Director
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If you would like your firm to be profiled in a future edition, or have a suggestion for an article that you think will be of interest to our readers, please send me an email.

Feedback

We always value feedback from our clients, what do you like and suggestions for improvement. Send to malcolme@feesynergy.com.au.

Australia Client Profile DFK Benjamin King Money

Cheree Woolcock - CEO/Managing Partner

In this edition we profile Melbourne based DFK Benjamin King Money. We asked Cheree Woolcock CEO/Managing Partner about herself, her firm and DFK International.

FS: Cheree, tell us about yourself.

CW: I was appointed CEO/Managing Partner of DFK BKM in 2013, having commenced with the firm as a graduate in 1987 and joining the partnership in 2004. I joined the board of DFKANZ and was appointed Chair in 2017. It is a great honour to be the leader of such an organisation.

I was fortunate that BKM enabled me to work part time whilst my children were young and once they were established in school I was able to return to a full-time role as part of the BKM leadership group.

I remain very hands on with my main areas of expertise being business advisory, tax, audit and superannuation. I recently obtained my superannuation specialist qualification.

FS: What is the history of DFK BKM? When and why did it join the DFK International group?

CW: DFK BKM was founded in 1960 by Phillip Benjamin and by 1987 when I joined, there were 9 in the practice. Today the BKM team numbers 45 and growing.



In 2011 BKM joined the DFK International alliance as a member of the DFK Australia New Zealand

group, enabling the firm to move into the international space. As our client's needs were expanding offshore we needed an alliance that would enable us to partner with international advisors. DFK International has been a great fit for us. As part of DFK we participate on many committees locally and internationally. The knowledge that is shared is invaluable to our collective and individual firm's ongoing successes.

FS: DFK is one of the world's largest accounting and business advisory groups. How big is the group globally and locally?

CW: In 2017 the alliance was ranked 7th of the independent international accounting associations with 214 member firms across 92 countries with in excess of \$US1.2 billion in revenue. In our local ANZ region there are 14 firms across 18 locations and we are ranked 19th in the 2017 AFR Top 100 Accounting firms.

The importance of local knowledge with national connections and international reach is what being a part of DFK can deliver.

DFKANZ is actively seeking new members particularly in Tasmania and the South Island of New Zealand but all major capital city firm applicants would be considered.

Continued on next page >

News

Financial Review Client Choice Awards

Congratulations to the winners of these prestigious awards, held at the Sofitel Melbourne on Wednesday 14 March. For a full list of finalists and winners go to <https://clientchoiceawards.net/>

FINANCIAL REVIEW

CLIENT CHOICE AWARDS 2018

We have moved – due to ongoing growth we have moved our Australian head office to 990 Toorak Rd Camberwell.

Accounting Expo – thank you to all clients who visited our stand. We were overwhelmed with the level of enquiry from “new to FeeSynergy” accounting firms who had heard about our world beating debtor management software



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FS: What services does BKM provide? Are there any areas of speciality?

CW: BKM is a full service practice offering Tax / Business Services and Advisory / Audit / Wealth/Financial Planning / Superannuation and SMSF / Virtual CFO / Back Office

The leadership team consists of myself, Terry Stramotas, Tim Kelleher, Brent McCartney, Kevin Adams and Julia Bull. Each has extensive experience in their fields of expertise. **Terry** is a well respected practitioner with over 20 year's experience as a Chartered Accountant, whose strengths are Tax, Advisory and IT. **Tim** is a representative on the DFK International tax committee, a role he fills wonderfully as he is dual qualified in both Australia and the United Kingdom and has over 25 years experience. **Brent** recently attended the DFK International Emerging Leaders summit in Dubai and his strengths are Tax and Superannuation. **Kevin** leads our Audit division and he has a lifetime of experience. **Julia** heads our Wealth division and she was awarded the 2017 Securitor Award for Technical Excellence in Australia.

We have many long term employees who make BKM as good as it is and our longest serving employee is **Marie Lettieri-Passarelli**, who leads our HR and corporate secretarial divisions, this is testament to the BKM family with her 33rd anniversary with us fast approaching.

FS: How is BKM adapting in an ever changing technology world?

CW: We understand the world is changing and how important it is to keep abreast of these changes.

Embracing IT changes via cloud services and emerging systems and processes, changing the way we receive and delivery services to meet the changing needs of our clients is important. Baby Boomers want different deliverables to Millennials and it is important that we understand everyone's needs and adapt accordingly.

FeeSynergy has been part of our recent journey by enabling clients to finance their fee, this has been an enormous benefit to our clients and mutually beneficial for FeeSynergy and BKM.



FS: What are your aspirations for BKM over the next 5 years?

CW: Our 5 year plan is very clear on where we see our business heading. We have put the foundations in place to be able to handle significant growth in the next phase of our business by having our clients and prospective clients be able to access our full suite of products and services and have all aspects of their professional needs handled from the one office. We care about our clients and we are business partners with them and are excited to be part of their journey.

We believe in what we do and we have the technical expertise to deliver a superior product. We always say we are ...

Big Enough to Know and Small Enough to Care

We have continued to be strategic in our recruitment, many of our team have been with us for 10 years or more and this is supplemented by our graduate programs where we have an intake of 3-4 each year. Their complement of skillsets enables us to service and understand the needs of all potential clients from baby boomers through to the millennials.

As we move into the next phase of business in Australia and internationally the message as far as I am concerned is clear:

- Surround yourself with the best possible people – team members, colleagues, clients, networks
- Embrace technology changes
- Understand what clients want and how to deliver to their needs
- Take every opportunity that presents itself
- Be true to yourself and strive to be the 'best you' you can be.

Demystifying the New Payments Platform

A faster, simpler, smarter way to move money in Australia




Over the last 20 years, the way Australians pay has changed dramatically. Cash and cheques so commonly used in the mid-1990's are now being replaced by improved payment technologies, built to meet the needs of a 24/7 digital economy.


Introducing the New Payments Platform (NPP)

The NPP was launched to the Australian public in mid-February and over time it will give consumers, businesses and government departments a platform to make fast, versatile and data-rich payments, 24/7.

As a founding partner, Westpac is one of over 60 Australian financial institutions connected to the NPP.

What is available on the NPP?

 The first service delivered via the NPP is Osko by BPAY™. Osko® allows you and your customers to send payments to and from eligible accounts across participating financial institutions, almost instantly, 24/7. Osko Payments can be made to a PayID or BSB and account number.

 A PayID allows you or your customers to use a nickname instead of a BSB and account number. A PayID can be created in your online banking by linking an eligible bank account to a PayID type - a mobile number, ABN/ACN, email or Organisation ID.¹

How will PayID and faster payments help your business?

- **Faster payments** – you can better manage your cash flow by receiving and sending funds which will usually clear and settle in under a minute, 24/7, even on weekends and public holidays.
- **Simpler payments** – when customers need to pay you they can use your PayID instead of your BSB and account number. If your suppliers are registered, you can pay them using their PayID.
- **Smarter payment information** – with up to 280 characters of narration able to be sent with Osko Payments and an additional 35 character reference field, you will be able to identify transactions more easily, saving you time on reconciliations.

How do I get my business ready for NPP?

Speak to your Westpac Business Banker who will help you plan for what you require to integrate NPP with your systems.

Other payment innovations

NPP has been designed with the future in mind - with the potential to offer payment requests together with full invoice details.

NPP is one of the many ways Westpac is working towards helping customers make payments in a more seamless and efficient way.

For more information on the NPP go to <https://www.nppa.com.au/the-platform/frequently-asked-questions/>

¹ PayID types available vary across NPP participants and across customer profiles

Unfair contract terms under the Australian Consumer Law

Since 12 November 2016, the unfair consumer contracts terms regime in the Australian Consumer Law (ACL) has also regulated unfair terms in small business contracts. In essence, if a

term is found to be unfair it is void. In this article we describe how these laws apply to consumer and small business contracts.

Consumer and Small Business Contracts.

Section 23 of the ACL provides that a term of a “consumer contract” or “small business contract” is void if the term is “unfair” and the contract is a “standard form contract”.

A “consumer contract” is a contract for the supply of goods or services, or the sale or grant of an interest in land, to an individual who acquires the goods, services or interests wholly or predominantly for personal, domestic or household use or consumption. It should be noted that “consumer contracts” are limited to contracts where the recipient is an individual (ie a natural person).

Section 23 also provides that a contract is a “small business contract” if the contract is for the supply of goods or services or the sale or grant of an interest in land and at the time the contract is entered into at least one party to the contract is a business that employs fewer than 20 persons and either the upfront price payable under the contract does not exceed \$300,000; or the contract has a duration of more than 12 months and the upfront price payable under contract does not exceed \$1 million.

Meaning of Unfair

A term in a consumer contract or small business contract is “unfair” if:

- it will cause a significant imbalance in the parties rights and obligations arising under the contract; and
- it is not reasonably necessary in order to protect the legitimate interests of the party who would be advantaged by the term; and
- it would cause detriment (whether financial or otherwise) to a party if it were to be applied or relied on.

In determining whether a term of a contract is unfair, a court may take into account such matters as it thinks relevant, but must take into account the extent which the term is transparent and the contract is a whole.

A term is transparent if the term is expressed in reasonably plain language; it is legible; it is presented clearly and it is readily available to any party affected by the term.

Section 25 of the ACL sets out various examples of what might constitute an unfair term. The examples include:

- a term that permits one party but not the other to avoid or limit its performance of the contract;
- a term that permits one party but not the other party to terminate the contract;

Article by Andrew Bini,

Special Counsel, Nicholson Ryan Lawyers



All the Gear with No Idea



By Jon Shakes

As part of a mid-life crisis I decide to buy a new car – unlike most people at my stage of life I buy not a 2 door European sports car, but a 4-wheel drive ute with grand visions of exploring the great outdoors!.

I search the internet and spend hours on the source of all knowledge, YouTube. Armed with all this new-found knowledge I go to the local dealership and tell them this is what I want, and this is the price I want to pay. We then start talking after market, “must have” accessories. By the time I leave I have added 50% to the original cost. I have new lights, a bull bar, new suspension, something called under body protection so I can have a tow point (why can't I use the bull bar?), draws, canopy, new tyres (why don't they provide the right tyre with the car?), roof rack, electronic brakes, tinted windows, UHF radio, dual battery system, a silver fridge and finished with ribbon lights for under the canopy – just in case the back was so overpacked I couldn't see the back left corner. I then go and see the person that sells other after-market

stuff who dampens my enthusiasm by telling me it's the most expensive car of that type they have ever sold and there's really nothing they can add, except paint protection, which I pass on.

6 weeks later I finally get the call, that it's ready. I arrive at the dealership and expect to just sign the forms and leave – but no – the car is under a huge black sheet and I have to be filmed unveiling the car and showing my excitement. I decline their request to have the video put on Facebook and the dealership website.

I then plan the first trip – to Queensland. The first time I go to drive onto the beach I get bogged. My 19-year-old daughter points out that it's not a permanent 4wd and there's a button I was meant to hit. In addition, you are not meant to brake in the middle of the sand ramp and I should have let down the tyres. All news to me so I decide I need some form of lessons as the humiliation in front of the kids was too much to take. What happened to the days when I was their hero no matter what – now I am more like Mr Bean!

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So, a mate puts me onto this group that runs 4wd tours in the high country. You camp under the stars and have a range of "Glamping options". I opt for the swag but like the idea of showers, proper toilets and all my meals cooked – plus the ability to choose from their menu and then have 4wd instruction and support. We meet at the Dargo Pub and find out they have arranged for a 4WD legend, Ron Moon to run part of the touring side of the trip. Ron has spent the last 30 plus years travelling the world, was the previous editor of 4x4 Australia Adventure Magazine and has been just about everywhere you could imagine. A great fillip for the weekend.

The first day starts with dropping the tyre pressures and we then spend the afternoon driving around the tracks and water crossings. We eventually arrive at the campsite which is located on private property next to the Wonnangatta River. A magnificent location with open plains on one side, a view up the mountains and some of the tracks on the list and a fully decked out campsite. We get the camp tour and then sit around the fire and crack open the first beer. The hosts bring around the entree and then goes through the plans for day 2 which is described as the most challenging of the 4. I discretely remind them that I have no idea what I am doing but they assure me they have me covered. Before we can open the second beer we are asked to sit down for dinner which comprised Greek Lamb Chops marinated in lemon, cumin and garlic followed by Sticky Date Pudding washed down with a glass of red. Great choice on my part and great execution on their part. It turns out the chef previously worked a range of tier 1 restaurants around Melbourne including Yering Station. We then return to our spots around the fire for more travel stories.

Day 2 starts with a 5-star breakfast comprising freshly brewed coffee, toasted sourdough topped with sautéed baby spinach, roasted pumpkin and poached eggs and some homemade relish a feta. We then move to the cars and are told to test our radios again. Ron then asks if it would be OK if he came with me. This was a sensational outcome as I still had no idea what I was

doing and now I had the whole day with someone that could tell me what all the buttons did and when to use them. In addition, Ron is a great historian, has completed various assignments for Parks Victoria in relation to sustainable management of the park and most recently completed a review of the main tracks in the area for Hema Maps. The day was set up for greatness and didn't disappoint. We went through several driving techniques on what turned out to be relatively basic tracks, tested the various functions of the car. We then move to some harder track that included something called Herne Spur Track – this was steep, rough, dusty and then rocky. My instructor called for low range, move to sports mode, keep the momentum up and pick the line that will ideally avoid the craters on the track and provide the necessary traction. We manage to get to the top without getting bogged or stopping. We are then told that was graded a "double black diamond" track – I had no idea tracks were graded by degree of difficulty like a ski run. We are all relieved we made it to the top without incident – I am amazed at what these cars can do. We then stop for lunch and take in the views. The trip home takes in more tracks, more sights and more history around cattle in the high country which seems to be a highly debated subject around the various regulatory tables.

Back at camp we have a repeat of the previous night – hot shower followed by a few beers followed by 5-star dining and a couple of hours around the fire. A great way to end the day.

Day 3 was planned as a less challenging but more picturesque day. Ron again agreed to be my guide and instructor. The day involved multiple river crossings on the way to Wonnangatta Station. This is an amazing spot and it's hard to relate to the remoteness of life 150 years ago before cars, telephone and the internet. The family that lived there had 10 children, 2 of whom died on the property and are buried at the family cemetery. The 3rd night included more of the same – this time I had free range chicken filled with pancetta and Yarra Valley and Greek tomato risotto roasted in the oven served with baby carrots, roast broccoli and other stuff followed by homemade flourless chocolate cake - again a great choice by me and a great execution by the chef.

The final day was focused on an iconic track called Billy Goats Bluff – the name says it all really. We were told that it's pretty hard – rated a double black diamond but should be OK because there wasn't going to be too many other cars. We're told that it's a 2-way track (vehicles come up and down it) but only fits 1 car each way as the drop offs on the side prevent the widening of the track. Luckily our guides were spot on, they knew where to stop to make sure the track was clear and kept the instructions coming through the radios. We reach the top without incident and then continued on to The Pinnacles which provides 360-degree views of the valley and is around 1450 meters above sea level. We then proceed back to camp and settle in to another great feed before we pack and drive home.

Thanks goes to Jules and Michelle at 4wdining for their tremendous hospitality, fantastic food and 4wd instruction - a really great weekend. Thanks also goes to Ron Moon who has taken someone with absolutely no idea to a reasonably confident and appropriately responsible 4-wheel driver.

I am no longer Mr Bean at least when it comes to 4 wheel driving!

Jon Shakes is Managing Director of Synergy Capital Finance, rest assured he is a better financier than a 4wd'er!
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Super funds

From time to time we are asked if we can fund the accounting fees for Superannuation Funds. The short answer is no. Super funds are prohibited from borrowing money for such purposes. They can only borrow money for investment purposes under limited recourse arrangements.



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For more information on this newsletter please contact FeeSynergy.

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