

Open Source Industry Australia Ltd

A.C.N. 109 097 234

Annual report
for the year ended 30 June 2018



Amplifying the voice of the Australian open source software industry

Contents

Directors' declaration	2
Chairman's foreword	3
Strategy & operations	4
Overview & history	4
Sponsors	6
Achievements	6
Future outlook	14
Governance & risk	15
Our board	15
Changes in state of affairs	16
Compliance, risk & regulation	17
Financial statements	18
Income statement	18
Statement of financial position	18
Statement of changes in equity	18
Statement of cash flows	19
Notes to the financial statements	19

Directors' declaration

The directors declare that in their opinion:

1. The company is not a reporting entity because there are no users dependent on general purpose financial statements. Accordingly, as described in note 1 to the financial statements, the attached special purposes financial statements have been prepared for the purposes of complying with the *Corporations Act 2001* requirements to prepare and distribute financial statements to the members of Open Source Industry Australia Ltd in order to meet the needs of its members.
2. The attached financial statements and notes comply with the *Corporations Act 2001*, the Accounting Standards as described in note 1 to the financial statements, the *Corporations Regulations 2001* and other mandatory professional reporting requirements.
3. The attached financial statements and notes give a true and fair view of the company's financial position as at 30 June 2018 and of its performance for the financial year ended on that date.
4. There are reasonable grounds to believe that the company will be able to pay its debts as and when they become due and payable.

Signed in accordance with a resolution of the board at its 3 November 2018 meeting:



Paul Moore
Chairman



Jack Burton
Company Secretary

Melbourne, 4 November 2018.

Chairman's foreword

2018 has been a difficult year for OSIA but also a productive one. Much has been achieved.

The organisation has re-established itself as a credible voice of the Australian FOSS industry, through multiple regular press releases, government submissions and evidence before public hearings on public policy matters as diverse as Commonwealth ICT procurement, copyright modernisation and international trade.

We also have a brand new, substantially faster & easier to maintain public web site. OSIA is once more compliant in the eyes of our regulators. After a whole year's hiatus, the board now communicates regularly with the members again and membership renewals have resumed too.

Nevertheless, significant challenges remain. The lion's share of the work in 2018 was done by OSIA Company Secretary Jack Burton and to a lesser extent from February to July also by my predecessor as Chairman, Mark Phillips. Ultimately, such a division of labour is unsustainable. If that continues, it would be inevitable that the organisation will again & again burn out those individuals who are willing to contribute, lurching from one crisis to the next as they leave.

In my view what OSIA needs most now is twofold: more financial members; and more *active* directors to shoulder the load.

After having lurked for many years in the background, I made the decision to serve on OSIA's board because I saw a unique organisation in danger of losing its distinctive voice. I decided to do what I could to help OSIA avoid that fate.

I am, however, willing to accept that despite the best efforts of those few, not enough others have been willing to put in sufficient effort to keep OSIA thriving in its own right. It is not reasonable to expect one or two individuals to sacrifice a large amount of their time (and therefore money) to provide a critical service such as advocacy for the entire Australian FOSS industry.

My own contribution was less than I would have liked, but the maximum that was sustainable given my circumstances during the 2018 term. Notwithstanding this, I will stand for re-election as a director for the next term and remain willing to accept the role of chairman should a better candidate not be willing.

I believe that in the coming term OSIA will achieve a new benchmark in its history, if there are multiple others also willing & able to contribute time, energy and dedication.

Will *you* join us in making that happen?



Paul Moore
Chairman

Strategy & operations

Overview & history

Background & mission

Founded in 2004, OSIA represents the Australian Free & Open Source Software (FOSS) industry—organisations in Australia who invest in or build their future upon the unique advantages of FOSS.

That has been at the core of OSIA's mission throughout most of its history. Twice—in 2010 & 2017—OSIA has dabbled in deviating from that core mission. On both occasions, the results have led to constitutional crises at the ends of those terms. To be clear, on neither occasion was the change in focus the sole cause of OSIA's woes, but it appears to have been the one significant contributing cause which the crises of 2010 & 2017 had in common.

The two “rescue” boards—elected at the 2010 AGM (Rhodes NSW) & at the December 2017 SGM (Adelaide SA)—effected turnaround of the Company's performance at least in part by refocussing on OSIA's original and principal mission.

To be clear, no OSIA board has ever regarded public policy advocacy as the *only* field of endeavour in which OSIA should operate. OSIA has always been at its best when public policy advocacy was at the fore, supplemented by various other initiatives. Nevertheless, the nature of those other initiatives most suitable for OSIA changes over time (and successive boards must continually re-evaluate existing & proposed initiatives), whilst the need for industry representation on the public policy stage remains the one constant.

Status as at 2016

OSIA reached its peak (thus far) in terms of public policy work in late 2016. At that point OSIA's annual frequency of submission lodgement was at its highest yet. Government agencies were paying more attention to OSIA's arguments than ever before. A greater number of our recommendations than previously were being adopted. Some government agencies—and even the occasional politician—were starting to reach out proactively to OSIA for policy advice. In short, OSIA had finally become *recognised* as a credible fixture in Australia's public policy landscape.

Of course, not everything was perfect. Even in OSIA's highly successful public policy activities there remained room for improvement. OSIA was less successful in other areas, such as media engagement & membership growth (both of which had all but ceased) and member services (where all active initiatives had been plagued by long-standing project issues). The plan however had been to build OSIA's success in public policy (that being the one constant need) first, then to

use that success to leverage membership & sponsorship growth, then to use the capital generated by that growth to fund more & better member services. The plan was a good one, although of course like anything in the real world worth doing, it required a significant, sustained effort to reach fruition.

The crisis of 2017

Genesis: the 2017 term

Given the state of play as at mid November 2016, members might rightly ask what went wrong? There is no single authoritative answer to that question: several factors were involved, no doubt interacting with each other in complex ways.

Firstly there was a substantial change in the composition of the board towards the end of 2016: 71% of the 2016 board (plus the company secretary) either retired at the 2016 AGM or resigned shortly before or after it, leaving only two continuing directors for the 2017 term (supplemented by two new directors appointed thereafter). That's a difficult transition to manage for any organisation.

Secondly, as noted above, the 2017 board changed OSIA's mission radically (without first consulting the membership at large), abandoning all public policy work within a couple of months of the AGM (including dropping at least six active initiatives), in favour of a new focus on community engagement. One only has to look at the breadth & depth of existing Australian FOSS community bodies (most notable Linux Australia) to see that that is far from a market niche waiting to be exploited, but rather is a market already very well served. Quite apart from the hard-nosed economics angle, attempting to drive such a radical change of purpose top-down clearly carried the potential to alienate OSIA's core membership base.

Thirdly, the 2017 board made a conscious decision not to elect a chairman. Predictably, that led to the creation of a leadership vacuum: no board having more than one director can function effectively without a chairman.

Fourthly, the pace at which things “got done” reduced markedly. All pre-existing initiatives were abandoned. Two new initiatives were launched, but both failed to produce any fruitful results. That may well be an effect of some or all of the first three causes noted, or equally it may be a separate cause in its own right.

Fifthly, proper financial records were not kept during the 2017 board term (neither electronic nor on paper), although this fact did not emerge until well into the interregnum. As business owners, we're all intimately familiar with the epithet “performance tracked is performance improved”. It is no surprise then that the

absence of responsible accounting practices was also a contributing cause.

Finally, OSIA abandoned the practice of keeping the membership informed about its work through reasonably regular “OSIA update” list posts. That in itself would not be a problem if it were replaced by some other form of regular member engagement, but it was not. OSIA did run one member event in Melbourne (in June 2017), but did not engage with the membership outside of Victoria.

The combined effects of all of the above were marked and catastrophic: frequency of government submission lodgement reduced by 100%; other government engagement reduced by 80–90%; media exposure reduced by 100%; member engagement reduced by 80–90%; the fruits of the mooted replacement mission never materialised; OSIA ceased to be relevant to its core membership base; and ceased to be compliant with the relevant legislation. Membership growth remained stagnant, so much so that the 2017 board felt the need to waive membership renewal fees altogether for FY2017/18.

Exodus: the 2017 AGM

The situation came to a head in the lead up to the 2017 (Melbourne) AGM.

The call for nominations had opened and closed without an annual report having been issued. No new candidates nominated for election as directors, predictably. After all, who in their right mind would nominate to serve on the board of a company without first knowing its current state & future outlook? Furthermore, only half of the 2017 board chose to nominate for re-election at the AGM.

Irregularities in the way the Notice of AGM was sent out resulted in a substantial proportion of the membership not receiving the Notice. That issue was resolved at the 2017 AGM by a decision to accept late proxies, so all members who wanted to could still be represented. Nevertheless, it was not a fortuitous start to the AGM.

The draft annual report considered at the 2017 AGM was incomplete, inaccurate in parts, non-compliant and misleading. Naturally, the Members in General Meeting voted to reject the report. The company secretary resigned on the spot and both candidates for re-election withdrew their nominations. The Chairman of the meeting called for fresh nominations from the floor but none were forthcoming.

That sequence of events plunged OSIA into a constitutional crisis. The *Corporations Act 2001* (Cth) requires us to have a company secretary at all times and to increase the number of our directors to at least three if ever we have fewer. At the beginning of the general business item at the 2017 AGM, OSIA had neither a company secretary nor any directors, nor even any candidates.

To resolve the crisis, the AGM took the unprecedented step of appointing a company secretary directly

and instructing him to convene an SGM in late January 2018 for the purposes of winding up the company or alternatively to appoint a sufficient number of directors to allow the company to continue operating. He was also instructed to rewrite the draft annual report, for consideration at the January SGM.

The interim company secretary discharged both tasks, but first had to convene an additional SGM (in mid December) to elect some directors to the board (since the board could not endorse a revised annual report to take to the January SGM without any directors).

The December SGM had to be convened on extremely short notice, which under s. 249H(1)(b) of the *Corporations Act 2001* (Cth) required the agreement in advance of at least 95% of financial members. Clearing the 95% hurdle represented an unprecedented display by OSIA’s members of unity and of the spirit to “get things done”, which was seen as a fitting start to the process of healing and of rebuilding the OSIA of the future.

Leviticus: the interregnum

The book of Leviticus is full of God’s rules, punctuated by stories of hard toil. “Leviticus” seems an apt title for this section, as the chief concern of the interim board was to return OSIA to compliance with its regulatory requirements (ASIC being the closest thing any company has to a vengeful god) and because the effort required to do so in such a short space of time indeed felt much like toil.

Most of the interregnum was spent on tasks relating to governance, compliance & risk, all of which were vital to the Company’s very existence.

Far too much time was spent on regaining control of the Company’s financial assets—a task which should have been completed within a business day or two of the 2017 AGM but ended up taking more than a month, mostly due to a lack of co-operation on the part of the outgoing company secretary. That cause led to other delays too (approximately 10% of the transition tasks requested of the outgoing company secretary were discharged by him and almost all of those were late).

A substantial exercise in forensic accounting then had to be undertaken, in which every transaction of the company since the 2016 AGM was painstakingly reconstructed from a variety of external authoritative sources. Naturally, this task was given the utmost priority, as maintaining complete and accurate financial records is one of the most fundamental requirements for running any organisation.

The interim board then rewrote the FY2016/17 annual report. The revised report was adopted unanimously by the Members in General Meeting.

Substantial time was also spent on obtaining & considering legal advice & guidance (for which the board owes a substantial debt of gratitude to OSIA sponsor Open Source Law) in order to navigate the maze of un-

usual compliance issues arising from the various irregularities of the 2017 term.

A second SGM was convened on 25 January 2018 in Ultimo NSW (annexed to Linux.conf.au 2018), to adopt the revised annual report and consider the future of OSIA.

The interim board issued an informal call for expressions of interest in serving on the 2018 board in advance of the January SGM, but was not able to follow that up with any attempts at direct recruitment, due to the gruelling combined workload of the tasks described above (essentially, an entire year’s worth of governance & compliance and accounting & finance tasks had to be undertaken in the space of a few short weeks, complicated by the absence of proper record-keeping and of sufficient co-operation on the part of the outgoing company secretary). As a result, no EoIs were received in advance of the SGM although, fortunately for OSIA, Mr Phillips & Mr Stewart volunteered their services later that week.

Numbers: the 2018 term

The book of Numbers tells the story of a journey to the “promised land”. That seemed an apt title for this section, as the 2018 board term was chiefly concerned with rebuilding OSIA—a journey one might say towards the “promised land” of an OSIA that will ultimately not just regain but exceed its former glory.

The interim board had eliminated one existential threat by resolving the range of serious issues around governance, compliance & risk inherited at the time of the 2017 AGM.

The 2018 board then had to deal with two new existential threats: firstly OSIA had to resume getting some real, substantive results (as very few prospective members would be willing to join an organisation that achieved nothing); and secondly OSIA needed positive membership growth (in order to fund the sorts of extra initiatives many members clearly wanted).

Naturally, the board chose to start by restoring OSIA’s performance in public policy advocacy—mostly because that is the one thing that OSIA will always need to do, but also because of the renewed threat posed by the Trans Pacific Partnership, which we thought we had defeated in 2016 but which rose from the dead during the interregnum.

To begin with OSIA attempted to engage on all possible relevant public policy matters, but it soon became clear that such a gargantuan task was beyond our present capacity. So the board decided to focus on the three key areas of public policy most relevant to OSIA: public ICT procurement; international treaties relating to copyright & patents; and domestic copyright & patent law reform.

Proactive media engagement was seen as a key part of OSIA’s public policy strategy, in parallel to the core task of drafting government submissions and some first steps

towards re-establishing relationships with key Commonwealth agencies.

By the end of the financial year, OSIA had re-established itself as a credible fixture on the Australian public policy landscape, although there remained (and still remains) much to do to reach desired levels of performance.

At that point the board started thinking about the next challenge: membership growth. Naturally that could not have commenced any sooner, as in order for there to be a credible value proposition for membership, OSIA first had to get some runs on the board again (which by July 2018 it had done in the public policy arena). Efforts on the membership growth front have not been successful to date and will need to intensify substantially in the 2019 term.

Some preliminary work was also undertaken on member services, but no member services have yet been launched.

In parallel, work commenced on refreshing OSIA’s infrastructure, beginning with a completely redesigned web site.

Here endeth the biblical metaphor: the 2019 and future board terms (at least one hopes) will have little if anything in common with the book of Deuteronomy!

Sponsors

In December 2017, OSIA welcomed Panubo as our newest sponsor.

The board thank all of our sponsors for their generous support. OSIA sponsors during FY2017/18 (all continuing) were:

- Anchor Systems¹
- i-Seek Communications²
- Joviam³
- Open Source Law⁴
- Panubo⁵
- Redback Conferencing⁶

Achievements

2017 board term

Participation in third-party fora

OSIA directors Daniel Jitnah and Greg Jones gave a brief presentation at the Melbourne Software Freedom Day 2017 event.

¹<https://www.anchor.com.au/>

²<https://www.iseek.com.au/>

³<https://joviam.com/>

⁴<http://www.opensourcelaw.biz/>

⁵<https://panubo.io/>

⁶<http://www.redbackconferencing.com.au/>

OSIA directors were also present at other local third-party community events including the City of Casey GovHack event (14 July 2017) and an OpenStack student event at the University of Melbourne (29 August 2017).

Table 1 lists the third-party fora in which OSIA have participated during FY2017/18 and since EOFY.

Member services

On 17 October 2017, OSIA launched a beta test version of the planned Australian Open Source Directory (AOSD), which was intended to replace the former Member Referral Service (MRS) project, which was abandoned in 2017.

Unfortunately the AOSD system never worked correctly, there was little if any data in it and those responsible for its development never handed over the source code to their successors, so the 2018 board had little choice but to abandon AOSD, at least in the only form it has been seen in to date.

Nevertheless, a new MRS/AOSD-like system remains one of several candidates for member service initiatives under consideration for the future.

On 7 November 2017, OSIA launched the Open Source Best Practice (OSBP) initiative, which was intended to function as a community-drive effort to develop & promote best practices, including: OSS licensing & procurement; monetising OSS projects; managing OSS & closed source projects; contributing back to OSS projects; engaging with communities; OSS in education; supporting end users; and obtaining support & services.

The project was ambitious in scope but was launched prematurely with no substantive content and as a result never attracted any contributions. To avoid the reputational damage associated with maintaining an empty project, the 2018 board resolved to abandon the OSBP initiative. Unfortunately, whilst most parts of the empty project were subsequently removed, those responsible for creating it never handed over the credentials to their successors (despite multiple requests to do so), so the empty OSS licensing sub-project still remains on

GitHub today⁷.

Notable reports

On 1 August 2017, the Commonwealth Government released its official response to the final report of the Productivity Commission's 2015–16 inquiry into intellectual property arrangements.

In prior years (between November 2015 & June 2016) OSIA had engaged with the inquiry on four occasions: our initial submission⁸, an informal meeting with the Commission's economists⁹, our final submission¹⁰ and our evidence before the inquiry's public hearing¹¹. The Commission had released its final report (which was favourable to OSIA—see OSIA FY2016/17 annual report for more information) on 20 December 2016.

The Government response of August 2017, while not as favourable as the Commission's final report, nevertheless endorsed in full or in part several of the Commission's recommendations that had been in accord with OSIA's, including to make contracting out of exceptions unenforceable, to allow circumvention of TPMs for legitimate purposes, to repeal parallel importation restrictions, to consider introducing a broad, principles-based fair use exception, to abolish the innovation patent system, to repeal s. 51(3) of the *Competition and Consumer Act 2010* (Cth) and to expand the open access & safe harbour regimes.

Table 3 lists notable government reports released during FY2017/18 and since EOFY.

In addition to that report, it is worth noting that in August 2017, the NSW Department of Finance, Services & Innovation (DFSI) released v3.2 of its ProcureIT framework. OSIA had engaged with DFSI on the ProcureIT review on multiple occasions from 2014 to 2016.

It is disappointing that OSIA's key recommendations, designed to end the discrimination against FOSS inherent in some parts of ProcureIT, were for the most part ignored.

⁷<https://github.com/OSIA-admin/OSS-licensing>

⁸Forsstrom, A. & Burton, J., *Submission to the Productivity Commission's Inquiry into Intellectual Property Arrangements*, OSIA, 30 Nov 2015. Available at <https://osia.com.au/f/productivitycommissionreport.pdf>

⁹Forsstrom, A. & Burton, J., *Interview with economic analysts from the Productivity Commission's Inquiry into Intellectual Property Arrangements*, by telephone, 11 March 2016 (unpublished).

¹⁰Burton, J. & Foxworthy, P., *Final submission to the Productivity Commission's Inquiry into Intellectual Property Arrangements*, OSIA, 3 June 2016. Available at https://osia.com.au/f/osia_sub_201605_pc_ip.pdf

¹¹Burton, J., Foxworthy, P. & Jitnah, D., Appearance before the Productivity Commission's public hearing of its Inquiry into Intellectual Property Arrangements, Melbourne, 23 June 2016. Reproduced in Koppel, J. & Chester, K., *Productivity Commission—Inquiry into intellectual property arrangements—transcript of proceedings at Productivity Commission, Melbourne on Thursday, 23 June 2016 at 8.49AM*, Productivity Commission, 2016, pp. 451–459. Available at <http://www.pc.gov.au/inquiries/current/intellectual-property/public-hearings/20160623-melbourne-intellectual-property.pdf>

Date	Forum	State
<i>2017 board term</i>		
Jul 2017	GovHack (City of Casey)	Vic.
Aug 2017	OpenStack student event (UMelb)	Vic.
Sep 2017	Software Freedom Day (Melbourne)	Vic.
<i>2018 board term</i>		
Mar 2018	Open Government Partnership AU	Vic.
<i>since EOFY</i>		
Jul 2018	.au Internet Governance Forum	ACT

Table 1: Participation in third-party fora

However, DFSI did follow one of OSIA’s recommendations (to replace their former rather unusual definition of open source software with the OSI’s Open Source Definition) in full and some of our other recommendations in part.

Interregnum

Governance, compliance & risk

As noted above, most of the interregnum was spent on tasks relating to governance, compliance & risk, all of which were vital to the Company’s very existence.

Key outcomes included convening two SGMs, appointing a minimum number of directors, regaining control of OSIA’s financial assets, reconstructing the missing accounts in full and releasing a revised FY2016/17 annual report of a standard sufficient to achieve adoption by the Members in General Meeting.

Member engagement

The interim board reinstated the practice (previously abandoned after the 2016 AGM) of sending out “OSIA update” list posts on a reasonably regular basis, to keep members informed of the activities of the company and to invite members to get involved.

Table 2 shows the timing of and number of items reported on in each update post.

In addition, a series of lively debates on the future of OSIA were had amongst the members (both on the mailing lists and at the January SGM), during the interregnum and continuing into the early days of the 2018 board term.

Date	Title	Items
<i>Interim board term</i>		
19 Dec 2017	December	7
23 Dec 2017	December #2	6
06 Jan 2018	January #1	3
19 Jan 2018	January #2	4
<i>2018 board term</i>		
05 Feb 2018	February	6
11 Mar 2018	March	7
21 Apr 2018	April	10
02 Jun 2018	Belated May	9
<i>since EOFY</i>		
26 Jul 2018	June/July	11
06 Sep 2018	Belated August	10
29 Oct 2018	Sep/Oct	7

Table 2: OSIA updates & number of items reported

2018 board term

Government submissions

During FY2017/18, OSIA lodged five submissions (four formal, one informal) to five Commonwealth agencies (Department of Prime Minister & Cabinet, Joint Standing Committee on Treaties, Digital Transformation Agency, Senate Standing Committee of Foreign Affairs, Defence & Trade and Department of Communications & the Arts) on four separate public policy matters (OGNAP/OGPAU, CPTPP/TPP-11, ICT procurement framework and copyright modernisation), as listed in Table 4.

This represents a 150% increase in frequency of submission lodgement over FY2016/17.

Furthermore, it should be noted that all five were lodged during the 2018 board term (neither the 2017 board nor the interim board lodged any submissions at all: the only two OSIA submissions of FY2016/17 were lodged during the 2016 board term). So in effect, from 2017 to 2018 OSIA has seen an infinite increase in its performance in responding to calls for submissions on relevant public policy matters.

Public testimony

OSIA directors gave evidence before the public hearing of one parliamentary inquiry during FY2017/18. This represents no change to the rate of appearances before public inquiries since FY2016/17.

However, it should be noted that the sole such appearance in FY2017/18 occurred during the 2018 board term and that the sole such appearance in FY2016/17 occurred during the 2016 board term¹² (neither the 2017 board nor the interim board gave evidence before any public inquiries). Thus, from the 2017 to 2018 board terms, OSIA’s performance in testifying before the public hearings of parliamentary inquiries increased infinitely.

Table 5 lists OSIA’s public testimony during FY2017/18 and post EOFY.

Press releases

During FY2017/18, OSIA put out ten press releases of its own on three public policy matters (CPTPP/TPP-11, ICT procurement framework and copyright modernisation) and was mentioned in one third party press release (commending the University of Adelaide for freeing the source code to Ludwig), as listed in Table 6.

¹²Burton, J., Appearance before the Joint Standing Committee on Treaties’ public hearing of its Inquiry into the Trans-Pacific Partnership Agreement, 7 October 2016. Reproduced in: Commonwealth, *Official Committee Hansard*, Joint Standing Committee on Treaties, Trans-Pacific Partnership Agreement (public), 2016, pp 26–30. Available at: <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22committees%2Fcommjnt%2Fa6fa4bc7-9c2e-4788-9378-e676fc0a3f53%2F0000%22>

Month	Agency	Report title	OSIA mentions	OSIA recs followed in full	OSIA recs followed in part	URL
<i>2017 board term</i>						
Aug 2017	DIIS	Resp. to PC inquiry into IP arrangements	0	5	3	1
Aug 2017	NSW DFSI	ProcureIT v3.2	0	1	3	2
<i>since EOFY</i>						
Aug 2018	JSCOT	181: CPTPP	9	0	2	3
Aug 2018	DFAT	Resp. to Sen. Patrick question on notice	2	0	0	4
Sep 2018	SSCFADT	Proposed CPTPP	6	0	6	5

Notes

1. Counts of OSIA mentions excludes trivial mentions (e.g. in lists and tables).

URLs

1. https://www.industry.gov.au/sites/g/files/net3906/f/government_response_to_pc_inquiry_into_ip_august_2017.pdf
2. <https://www.procurepoint.nsw.gov.au/before-you-buy/standard-procurement-contract-templates/procure-it-framework-version-32>
3. https://parlinfo.aph.gov.au/parlInfo/download/committees/reportjnt/024179/toc_pdf/Report181.pdf;fileType=application/pdf
4. <https://www.aph.gov.au/DocumentStore.ashx?id=09e6e634-dcb2-42da-a497-b7d38942d424>
5. https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Foreign_Affairs_Defence_and_Trade/TPP-11/~media/Committees/fadt_ctte/TPP-11/Report/report.pdf

Table 3: Notable government reports, 2018 to date

1. Phillips, M., *Comment to Department of Prime Minister & Cabinet regarding Open Government Partnership Australia*, OGP AU forum, 30 March 2018. This was a response to informal comments on the OGNAP/OGPAU initiative, which focussed on the issues of transparency, trust & corruption. Available at <https://ogpau.pmc.gov.au/public-sector-integrity#comment-507>
2. Burton, J. & Phillips, M., *Submission to the Commonwealth Joint Standing Committee on Treaties regarding the “Comprehensive & Progressive agreement for Trans Pacific Partnership”*, OSIA, 20 April 2018. Available at https://osia.com.au/pdfs/osia_sub_201804_jscot.pdf
3. Stewart, J., Burton, J., Moore, P., Phillips, M. & Pendashteh, A., *Submission to the Commonwealth Digital Transformation Agency regarding its draft ICT procurement framework*, OSIA, 25 April 2018. Available at https://osia.com.au/pdfs/osia_sub_201804_dta_rc4.pdf
4. Burton, J., Stewart, J. & Phillips, M., *Submission to the Senate Standing Committee on Foreign Affairs, Defence & Trade regarding the “Comprehensive & Progressive agreement for Trans Pacific Partnership”*, OSIA, 31 May 2018. Available at https://osia.com.au/pdfs/osia_sub_201805_sscfadt.pdf
5. Burton, J. & Phillips, M., *Submission to the Commonwealth Department of Communications & the Arts re copyright modernisation consultation paper*, OSIA, 4 June 2018. Available at https://osia.com.au/pdfs/osia_sub_201806_dca.pdf

Table 4: OSIA submissions lodged during FY2017/18

Appearances during FY2017/18

1. Phillips, M. & Burton, J., Appearance before the Joint Standing Committee on Treaties' public hearing of its Inquiry into the Comprehensive & Progressive agreement for Trans-Pacific Partnership, 1 June 2018, East Melbourne. Reproduced in: Commonwealth, *Official Committee Hansard*, Joint Standing Committee on Treaties, Comprehensive and progressive agreement for trans-Pacific partnership, 2018, pp. 10–17. Available at: https://parlinfo.aph.gov.au/parlInfo/download/committees/commjnt/d2c78ab8-faba-43ec-be99-e37450126286/toc_pdf/Joint%20Standing%20Committee%20on%20Treaties_2018_06_01_6196_Official.pdf;fileType=application%2Fpdf

Appearances since EOFY

1. Burton, J., Appearance before the Senate Standing Committee on Foreign Affairs, Defence & Trade (References Committee) public hearing of its Inquiry into the Comprehensive & Progressive Agreement for Trans-Pacific Partnership, 30 July 2018, Melbourne. Reproduced in: Commonwealth, *Official Committee Hansard*, Senate Foreign Affairs, Defence and Trade References Committee, Comprehensive and Progressive Agreement for Trans-Pacific Partnership, 2018, pp. 42–47. Available at: https://parlinfo.aph.gov.au/parlInfo/download/committees/commSEN/8fdccb45-28d0-4fe6-aff7-55b3d3aff307/toc_pdf/Foreign%20Affairs,%20Defence%20and%20Trade%20References%20Committee_2018_07_30_6370_Official.pdf;fileType=application%2Fpdf

Table 5: OSIA public testimony, 2018 to date

This was the first time in several years that OSIA had executed any sort of media engagement strategy. As such, OSIA has seen an infinite increase in its proactive media engagement activities, both in FY2017/18 over FY2016/17 and in the 2018 board term over the 2017 board term.

OSIA in the news

OSIA was mentioned in at least thirty news articles during FY2017/18 (all during the 2018 board term: there were no news articles about OSIA at all during the 2017 board or interim board terms).

Tables 7 and 8 list the news articles which mentioned OSIA during FY2017/18.

Participation in third-party fora

OSIA Chairman Mark Phillips participated in the OGNAP/OGPAU (Open Government National Action Plan / Open Government Partnership Australia) forum held in Melbourne in March 2018 and subsequently lodged informal comments with the initiative on behalf of OSIA. Later in the year the board decided not to continue with OSIA's involvement in the OGNAP/OGPAU process, as the initiative's extremely broad terms of reference had only a comparatively small overlap with OSIA's core public policy priorities.

Member engagement

The 2018 board continued the practice (resumed by the interim board) of sending out "OSIA updates" on a reasonably regular basis (see Table 2). As the year wore on and the scope of OSIA's activities continued to increase, the frequency at which OSIA update posts were sent out did fall a little, but they continue to be sent out on at least a bi-monthly basis.

In addition, members were invited to contribute to the drafting of every submission lodged by OSIA during the

term (although no members outside of the board have yet availed themselves of this opportunity).

Finally, the board invited members to meet with directors in person before or after every single board meeting (other than teleconferences, for obvious reasons) held during the 2018 term (see Table 10).

Infrastructure

The 2018 term commenced with an audit of OSIA's infrastructure, conducted by newly elected Chairman Mark Phillips.

The first recommendation of the report to be implemented was a complete refresh of OSIA's public web site. This was also undertaken by Mr Phillips. The new site is both substantially faster than its predecessor and requires substantially less maintenance, freeing up resources for more strategic tasks.

Post EOFY

Public testimony

OSIA has been represented at the public hearing of one further parliamentary inquiry since 30 June 2018 (see Table 5).

Direct government engagement

OSIA directors have met with representatives of Commonwealth agencies to advise them on our industry sector's views on relevant matters on two occasions since 30 June 2018.

On 11 July, Mr Phillips & Mr Burton met by teleconference with representatives from the Department of Foreign Affairs & Trade and from the Department of Communications & the Arts to discuss OSIA's concerns around the potential copyright implications of the Electronic Commerce Chapter in TPP (specifically, Art. 14.17, which we believe may make copyleft terms unenforceable in some circumstances). Whilst the inter-

pretation of Art. 14.17 that both agencies assured us they were taking is benign (so there will be no domestic adverse implication of TPP Art. 14.17), the risk remains that alternative (and far more dangerous) interpretations of Art. 14.17 may be taken by any of the other ten TPP-11 Parties.

On 25 September, Mr Burton & Mr Stewart met in Canberra with representatives of the Department of Communications & the Arts (copyright section), at their invitation, to discuss eight current international negotiations concerning copyright, how each of those might affect the Australian FOSS industry and our views on what Australia's position should be. All but one of those negotiations had at least some relevance to OSIA members, so it was a very interesting meeting. In particular, post TPP, it is clear that OSIA will need to focus on the threats & opportunities posed by the Regional Co-operative Economic Partnership (RCEP), the Australia / European Union FTA, the Australia / Pacific Alliance FTA and the proceedings of the WIPO Standing Committee on copyright & related rights (including but not limited to the current GRULAC proposal on the analysis of copyright related to the digital environment).

Whilst OSIA is yet to make a substantial impact in these areas, the board is pleased that we have at least re-established OSIA as a sufficiently credible industry voice to be invited to meetings such as the above.

Issued by OSIA during FY2017/18

1. *CPTPP is a ticking time bomb* (controversial "suspended" provisions could return at any time), 23 February 2018. Available at https://osia.com.au/pdfs/osia_cptpp_pr1_0.pdf
2. *DFAT "myth busters" document mostly propaganda* (OSIA renews call for independent modelling of CPTPP by Productivity Commission), 10 March 2018. Available at https://osia.com.au/pdfs/osia_cptpp_pr2a.pdf
3. *Dangers of ISDS provisions in CPTPP are not a myth* (DFAT "myth busters" document ignored the main risks), 11 March 2018. Available at https://osia.com.au/pdfs/osia_cptpp_pr2b.pdf
4. *OSIA slams DFAT's brazen denial of TPP secrecy*, 12 March 2018. Available at https://osia.com.au/pdfs/osia_cptpp_pr2c.pdf
5. *CPTPP grants temporary stay of execution* (one third of worst issues with TPP resolved for the short term), 19 March 2018. Available at https://osia.com.au/pdfs/osia_cptpp_pr3.pdf
6. *OSIA welcomes Senate inquiry into CPTPP* (Foreign Affairs, Defence & Trade References Committee will provide much needed perspective), 29 March 2018. Available at https://osia.com.au/pdfs/osia_cptpp_pr4.pdf
7. *Draft ICT procurement framework a mixed bag for FOSS sector* (progress made on open standards & cybersecurity but bias against FOSS remains damaging), 27 April 2018. Available at https://osia.com.au/pdfs/osia_dta_ictpf_pr1.pdf
8. *OSIA calls for genuine free trade instead of 'Byzantine' CPTPP* (CPTPP barely mentions free trade but pushes a huge range of restrictions), 2 May 2018. Available at https://osia.com.au/pdfs/osia_cptpp_pr5_0.pdf
9. *CPTPP could still destroy the Australian FOSS industry* (OSIA urges Senate Committee to ditch the dud deal), 12 June 2018. Available at https://osia.com.au/pdfs/osia_cptpp_pr6a.pdf with accompanying infographic at https://osia.com.au/images/osia_cptpp_pr6a_g1.png
10. *Fair use for everyone!* (including the use of orphan works), 14 June 2018. Available at https://osia.com.au/pdfs/osia_dca_pr1_0.pdf

Issued by OSIA since EOFY

1. *OSIA tells TPP-11 backers to cut out the spin* (Economic models relied on by BCA, MCA & AFR described as obsolete and misleading), 2 July 2018. Available at https://osia.com.au/pdfs/osia_cptpp_pr7.pdf

Issued by third parties

1. University of Adelaide, *38-year-old code writing tool released for general use*, 14 March 2018. Available at <https://www.adelaide.edu.au/news/news98662.html>

Notable reports

Three Commonwealth documents released since 30 June 2018 have contained non-trivial references to OSIA, as listed in Table 3.

All three relate to CPTPP: the final reports of the inquiries held by the Joint & Senate Committees; and DFAT's written response to a question on notice asked of them by Senator Rex Patrick (Centre Alliance, SA) at the Senate Committee hearing in response to evidence led at that hearing by OSIA Company Secretary Jack Burton.

Press releases

Since 30 June 2018, OSIA has put out one further press release (see Table 6).

However the event of interest in this area post EOFY related to three of OSIA's FY2017/18 press releases (items 2, 3 & 4 in Table 6), which were tabled in the Senate, as a result of a question on notice asked of OSIA Company Secretary Jack Burton by Senator Claire Moore (ALP, Qld) at the 30 July 2018 public hearing of the Senate Committee's inquiry into TPP-11.

To the best of the board's knowledge, that was the first time any OSIA press release had ever been tabled in the Senate.

Table 6: OSIA & third party press releases, 2018 to date

1. Anon., *CPTPP is a ticking time bomb*, Mirage News, 23 February 2018. Available at <https://www.miragenews.com/cptpp-is-a-ticking-time-bomb/>
2. Anon., *Does the CPTPP threaten open source software?*, First 5000, 24 February 2018. Available at <http://www.first5000.com.au/blog/cptpp-threaten-open-source-software/>
3. Tamez, A. G., *El CPTPP es una bomba de tiempo*, EconoMex, 25 February 2018. Available at <https://economex.blog/2018/02/25/el-cptpp-es-una-bomba-de-tiempo/>
4. Tamez, A. G., *Columna invitada: El CPTPP es una bomba de tiempo*, El Heraldo León, 26 February 2018. Available at <http://www.heraldoleon.mx/cptpp-una-bomba-tiempo/>
5. Tamez, A. G., *El CPTPP es una bomba de tiempo*, Es lo cotidiano, 26 February 2018. Available at <http://www.eslocotidiano.com/opinion/alejandrogomez-tamez/cptpp-es-bomba-tiempo/20180226093647043702.html>
6. Tamez, A. G., *El CPTPP es una bomba de tiempo*, Bilaterals.org, 26 February 2018. Available at <http://bilaterals.org/?el-cptpp-es-una-bomba-de-tiempo>
7. Tamez, A. G., *El CPTPP es una bomba de tiempo*, Zona Franca, 26 February 2018. Available at <http://zonafranca.mx/el-cptpp-es-una-bomba-de-tiempo/>
8. Anon., *Dangers of ISDS provisions in CPTPP are not a myth*, Mirage News, 11 March 2018. Available at <https://www.miragenews.com/dangers-of-isds-provisions-in-cptpp-are-not-a-myth/>
9. Ray, J. J., *Software gurus say Trans Pacific Partnership agreement still on the nose*, Australian Politics, 11 March 2018. Available at <https://australian-politics.blogspot.com/2018/03/president-donald-trump-has-announced-he.html>
10. Anon., *DFAT criticised for CPTPP 'secrecy' denial*, Air Cargo Asia-Pacific, 12 March 2018. Available at http://www.airtraveller.com.au/aircargo/index.php?option=com_content&view=article&id=15338:dfat-criticised-for-cptpp-secrecy-denial&catid=85&Itemid=435
11. Anon., *OSIA slams DFAT's brazen denial of TPP secrecy*, Mirage News, 12 March 2018. Available at <https://www.miragenews.com/osia-slams-dfat-039-s-brazen-denial-of-tpp-secrecy/>
12. Johnston, M., *38 year-old coding tool has been released to the public: 'Ludwig' lands on GitHub*, IT News, 14 March 2018. Available at <https://www.itnews.com.au/news/a-38-year-old-coding-tool-has-been-released-to-the-public-487014>
13. Mills, R., *38-year-old code-writing tool released for general use*, phys.org / Science X, 14 March 2018. Available at <https://phys.org/news/2018-03-year-old-code-writing-tool.html>
14. Dodd, T., *New lease of life for Ludwig*, The Australian, 15 March 2018. (no longer freely available online)
15. Anon., *CPTPP grants temporary stay of execution*, Mirage News, 19 March 2018. Available at <https://www.miragenews.com/cptpp-grants-temporary-stay-of-execution/>
16. Bushell-Embling, D., *Open software industry hails TPP suspensions*, Technology Decisions, 20 March 2018. Available at <https://www.technologydecisions.com.au/content/it-management/news/open-software-industry-hails-tpp-suspensions-1194481005>
17. Anon., *OSIA welcomes CPTPP inquiry call*, Air Cargo Asia-Pacific, 30 March 2018. Available at http://www.impactpub.com.au/aircargo/index.php?option=com_content&view=article&id=15399:osia-welcomes-cptpp-inquiry-call&catid=85&Itemid=435
18. Anon., *OSIA welcomes Senate inquiry into CPTPP*, Business Acumen Magazine, 30 March 2018. Available at <https://www.businessacumen.biz/news/3009-osia-welcomes-senate-inquiry-into-cptpp>

Table 7: Media articles referencing OSIA, FY2017/18 third quarter

1. Anon., *Draft ICT procurement framework a mixed bag for FOSS sector*, Mirage News, 27 April 2018. Available at <https://www.miragenews.com/draft-ict-procurement-framework-a-mixed-bag-for-foss-sector/>
2. Anon., *OSIA calls for genuine free trade instead of 'Byzantine' CPTPP*, Mirage News, 2 May 2018. Available at <https://www.miragenews.com/osia-calls-for-genuine-free-trade-instead-of-039-byzantine-039-cptpp/>
3. Anon., *OSIA slams CPTPP for its 'non free trade stance' and lack of benefits to Australia*, Air Cargo Asia-Pacific, 3 May 2018. Available at http://www.impactpub.com.au/aircargo/index.php?option=com_content&view=article&id=15502:osia-slams-cptpp-for-its-non-free-trade-stance-and-lack-of-benefits-to-australia&catid=85&Itemid=435
4. Anon., *CPTPP could still destroy the Australian FOSS industry*, Mirage News, 12 June 2018. Available at <https://www.miragenews.com/cptpp-could-still-destroy-the-australian-foss-industry/>
5. Anon., *OSIA urges Senate Committee to ditch 'dud deal'*, Air Cargo Asia-Pacific, 13 June 2018. Available at http://www.impactpub.com.au/aircargo/index.php?option=com_content&view=article&id=15610:osia-urges-senate-committee-to-ditch-dud-deal&catid=85&Itemid=435
6. Bishton, D., *CPTPP jeopardises the future of open source software: OSIA*, Spatial Source, 13 June 2018. Available at <https://www.spatialsource.com.au/gis-data/cptpp-jeopardises-the-future-of-open-source-software-osia>
7. Burton, J., *Copyleft Terms May Become Unenforceable in 11 Countries under CPTPP*, Linux Journal, 13 June 2018 Available at <https://www.linuxjournal.com/content/copyleft-terms-may-become-unenforceable-11-countries-under-cptpp>
8. Anon., *OSIA supports copyright changes*, Air Cargo Asia-Pacific, 15 June 2018. Available at http://www.impactpub.com.au/aircargo/index.php?option=com_content&view=article&id=15616:osia-supports-copyright-changes&catid=85&Itemid=435
9. Moody, G., *Open Source Industry Australia says zombie TPP could destroy free software licensing*, Tech Dirt, 18 June 2018. Available at <https://www.techdirt.com/articles/20180615/09090440050/open-source-industry-australia-says-zombie-tpp-could-destroy-free-software-licensing.shtml>
10. Schestowitz, R., *Making Free Software Suffer Using New Laws*, Tux Machines, 19 June 2018. Available at <http://www.tuxmachines.org/node/112753>
11. Anon., *TPP-11 could harm software licensing, says Open Source Industry Australia* AFTINET, 21 June 2018. Available at <http://aftinet.org.au/cms/node/1594>
12. Nesbitt, S., *New releases from Facebook and Google, CPTPP's potential open source impact, and more news*, Open Source News, 23 June 2018. Available at <https://opensource.com/article/18/6/news-june-23>

Table 8: Media articles referencing OSIA, FY2017/18 final quarter

1. Anon., *OSIA tells TPP-11 backers to cut out the spin*, Mirage News, 2 July 2018. Available at <https://www.miragenews.com/osia-tells-tpp-11-backers-to-cut-out-the-spin/>

Table 9: Media articles referencing OSIA, since EOFY

OSIA in the news

OSIA has been mentioned in at least one further news article since 30 June 2018, as shown in Table 9.

Participation in third-party fora

OSIA Directors Alexar Pendashteh & Don Lowe participated in the Australian Internet Governance Forum (auIGF) in Canberra on 19 July 2018. The board subsequently decided not to pursue further involvement in auIGF as, whilst project has admirable goals, it lay outside the three areas of core focus for OSIA's public policy work.

Nevertheless, auIGF was brought to the members' attention in the August OSIA update, as the board felt that some members may see value in getting involved in the process in their own right.

Member engagement

In addition to continuing the practices instituted during the preceding eight months, as described above, OSIA Directors Mark Phillips and Paul Moore personally placed calls to every financial member of OSIA (and a selection of unfinancial members) in order to gain a better appreciation of the issues facing OSIA members today and of what the membership most wanted OSIA to do.

Many interesting conversations were had. In brief, our members see two key priorities for the OSIA of today and the future: continuing the sustained, effective programme of public policy advocacy (as reintroduced in the 2018 term); and instituting a portfolio of member services.

Interestingly, members were divided roughly 50/50 on which of those should take the greater priority.

Of necessity (given the far greater cost of running genuinely useful member services well; and the board's natural desire to avoid the inevitable consequences of running member services "on the cheap"), for the 2018 term OSIA has focussed on public policy.

Since 30 June the board has been increasingly aware of the need for membership growth, in order to fund the sort of member services that Australian FOSS businesses would find genuinely useful.

Once membership growth targets have been achieved, naturally the board will turn its hand to building a suitable member services portfolio in parallel to our continued advocacy work in the public policy realm.

Future outlook

In terms of governance, compliance & risk, thanks to the efforts of the interim board (under the leadership of Ron Skeoch) the hard work is all done. The task here

now for future boards (and in particular for future company secretaries) is simply to ensure that OSIA never again neglects its responsibilities.

In terms of public policy advocacy, the 2018 board (under the leadership first of Mark Phillips, then of Paul Moore) has achieved much and by doing so has effectively set the minimum standard for years to come. Future boards will need to ensure that we continue to build year-on-year on the robust base re-established in 2018. The same applies to media engagement, which should be seen as a tactic supporting OSIA's public policy strategy rather than a strategy in its own right.

Public policy will always remain an essential core of OSIA's strategy, but public policy alone will never be sufficient. As discussions with members earlier this year made clear, roughly half the membership see member services as a key priority. Growth in membership & sponsorship will be necessary in order to fund the development & launch of useful new member services. Clearly, robust infrastructure is also required to support OSIA's activities in all areas.

Finally, and perhaps most importantly, we are all FOSS people, so transparency should be very important to us. Continuing the practice of regular "OSIA update" list posts is a good start, but it alone is not sufficient. OSIA must find ways to involve more of its membership in more of its operational activities—especially those relating to public policy.

How best to allocate resources as between all those competing priorities will be a question future boards must address. OSIA's current strategic plan expires this year. Much has changed since the plan was adopted in February 2013. The 2019 board will kick off that process with a full-day of strategic planning, the day after the 2018 AGM. Naturally the members will need to be involved in the process too, with a view to launching a new plan in 2019.

At the January 2018 SGM there was much talk of whether OSIA should wind up altogether. In February, the board set itself two KPIs to help evaluate whether that would be necessary. One of those KPIs (relating to recruitment of directors) was met in June. The other (relating to membership growth) has not been met and does not look likely to be met by the time of the 2018 AGM.

Nevertheless, it is clear that OSIA is well on the road to recovery, having re-established itself in at least one key area of strategic focus (public policy) and having set the stage for recovery in other key areas in the short to medium term.

Therefore, the board recommends that OSIA continue in its present form and calls upon all those who share our vision for the future to help, be it by nominating for service on the board, or by contributing directly on OSIA's various operational initiatives, or even simply by continuing as financial members and/or sponsors.

Governance & risk

Our board

The board met ten times during FY2017/18.

Five of those meetings were held in person in various Australian cities, with members invited to meet with the directors before or after the meeting. The other five were held by teleconference.

Table 10 lists the dates & venues for those meetings. Table 11 shows the number of meetings held during each director's tenure in FY2017/18 and the number of such meetings each director attended.

The individuals listed below served on the board of OSIA during FY2017/18.

Jack Burton BSc FACS CP

Company Secretary from 27 Nov 2017

Director from 21 Dec 2017

Jack has been involved in commercial computing since 1989. He is a director of Saosce Pty Ltd, a generalist computing consultancy & services firm he established in 2002, with a focus on Unix & open source software; and of Safecom Cyber Security Pty Ltd, an infosec startup that he & the late Carl Holden founded in 2016.

He maintains professional memberships in a variety of societies including ACM, ACS, ASQ, ITPA & Tel-Soc.

Past directorships include OSIA (2007/08 & Dec 2010 – Nov 2016; Chairman Dec 2011 – Nov 2016), ACS (Council, 2007; Management Committee 2010 – 2011) and OpenSA (Treasurer, 2009 – 2013).

Date	Venue
<i>End of 2017 term: 1 Jun to 27 Nov 2017</i>	
25 Oct 2017	Teleconference
<i>Interregnum: 14 Dec 2017 to 25 Jan 2018</i>	
21 Dec 2017	Teleconference
03 Jan 2018	Teleconference
17 Jan 2018	Teleconference
<i>Start of 2018 term: 25 Jan to 30 Jun 2018</i>	
27 Jan 2018	Wahroonga, NSW
24 Feb 2018	Melbourne, Vic.
24 Mar 2018	Boondall, Qld
24 Apr 2018	Teleconference
19 May 2018	Melbourne, Vic.
17 Jun 2018	Pymont, NSW

Table 10: Board meetings held in FY2017/18

Aimee Maree Forsstrom BIT(Hons) BAppComp Director to 27 Nov 2017

Aimee Maree has worked across the areas of systems administration, network engineering, programming, CMS development, data analysis, qualitative research and information design.

Aimee Maree had served as an OSIA Director since November 2014.

Daniel Jitnah BSc MComp GradDipEd

Company Secretary to 27 Nov 2017

Director to 27 Nov 2017

Daniel has over 25 years experience in the field of IT. He runs an IT consultancy business, providing services focussed on open source software systems. He has also worked as a secondary school teacher and is active in the open source software community.

Daniel had served as an OSIA Director since December 2010.

Greg Jones BSc

Director to 27 Nov 2017

Greg has several years of experience in the telecommunications industry at international level, having worked for several years for the ITU (UN agency) in Geneva, with particular focus on telecommunication standards development. Greg is an avid and passionate supporter of and practitioner in the open source software area.

Greg had served as an OSIA Director since April 2017.

Don Lowe

Director from 17 Jun 2018

Don is a passionate and energetic sales professional with over 30 years' experience in the IT industry working in a diverse range of positions including sales,

Name	Attended	Eligible to attend
Jack Burton	9	9
Aimee Maree Forsstrom	0	1
Daniel Jitnah	1	1
Greg Jones	1	1
Don Lowe	1	4
Nick Moore	1	1
Paul Moore	5	5
Alexar Pendashteh	9	9
Mark Phillips	6	6
Ron Skeoch	4	7
Josh Stewart	4	6

Table 11: Attendance at board meetings in FY2017/18

sales management, marketing, product marketing, partner management and channel development. He has consistently overachieved on his goals in those roles.

Since 2017 he has been Client Executive (Public Sector) for SuSE in Australia. For 5 years before that he was a sales executive for Oracle following their acquisition of Sun Microsystems. Prior to that he spent 20 years at Sun Microsystems in a number of positions including Federal Branch Manager, Product Marketing Manager, ANZ Marketing Director & Federal Partner Manager.

Nick Moore BSc(CompSci)

Director to 27 Nov 2017

Nick runs his own consultancy business Mnemote and is involved in professional activities with Strategic Data Corp. His main expertise is in software development and systems integration.

Nick had served as an OSIA Director since December 2016.

Nick has been passionately engaged in the Python and Micro-Python community and leads the Micro-Python user group in Melbourne.

Paul Moore

Director (membership) from 24 Feb 2018

Paul has been involved in commercial computing since 1992. He is a director of Astute Systems Pty Ltd, a technology company he founded in 2007. Prior to that he worked for a wide variety of organisations in the IT industry including RSA Security and Pegasus Networks.

Paul specialises in DevOps automation with cloud, enterprise storage, high availability and disaster recovery solutions under all platforms.

Alexar Pendashteh BSc

Director from 14 Dec 2017

Alexar can be described as a technologist, social entrepreneur and a casual philosopher.

Trained as an electrical engineer, he moved into the IT field, where he ran & managed multiple businesses providing large scale software solutions, web & mobile applications development and Drupal services in his home town, Tehran.

After moving to Australia, Alexar began his contributions to FOSS by providing free training & mentorship and facilitating user group meetings. As a technologist, he has focussed on distributed technologies and believes that by weaving data sovereignty into the fabric of technology it can be made a force for good.

Alexar's work as a systems designer & social entrepreneur has centred mostly around effective co-operation and collective intelligence.

Mark Phillips MA MSc

Chairman from 27 Jan 2018

Mark is a director of Automated Test Systems, a company he founded in 1994 which focusses on systems design, reverse engineering and open source management. He has a strong background in operating systems.

Mark is well known within the Australian free & open source software community.

Ron Skeoch BBuild(Hons) GradDipBA

Director 14 to 21 Dec 2017

Chairman 21 Dec 2017 to 27 Jan 2018

Director (unencumbered open standards) 27 Jan to 24 Apr 2018

Ron is the managing director of Muli Management Pty Ltd, a project risk accounts & process management software house he founded in 1981.

He has been a champion of unencumbered open standards for at least the last two decades, during which time he has perhaps been best known for his tireless advocacy for open standards in the business-facing interfaces of the Australian Taxation Office.

Josh Stewart BSc(Hons) BIT

Director (public policy) from 27 Jan 2018

Josh has been involved in commercial computing since 2002. He is currently a delivery project executive at IBM, where he has held a wide variety of roles over the last 16 years.

Past directorships include Linux Australia (Council 2013 – 2018; Vice President 2015 – 2016).

Josh is very active in the Australian open source software community and was the convenor of LCA2012 (Ballarat).

Changes in state of affairs

A number of changes to the composition of the board occurred during FY2017/18.

2017 AGM & interregnum

Following the rejection of the draft annual report by the Members at the 2017 AGM, Mr Jinah resigned as Company Secretary and both Mr Jinah & Mr Jones (the only two candidates) withdrew their nominations from the election of directors to be held at that meeting. The Chairman of the Meeting (Mr Foxworthy) issued a call for nominations from the floor, but none were forthcoming. In the absence of any nominations for election as Directors, the Members in General Meeting appointed Mr Burton as Company Secretary and instructed him to convene a Special General Meeting in late January 2018.

Before doing so, in order for the board to be able to endorse a revised annual report (for which the board required directors) for consideration at the January SGM, Mr Burton convened an additional SGM on 14 December 2017, at which the Members elected Mr Skeoch, Mr Pendashteh & Dr Kuusk as directors.

At its first meeting, on 21 December 2017, the board noted that on 15 December Dr Kuusk had declined to take office. In such circumstances the *Corporations Act 2001* requires the directors to increase their number to at least three expeditiously. At that meeting, rather than convene yet another SGM to elect another Director, the existing Directors appointed Mr Burton as a Director of the Company.

Mr Skeoch, Mr Pendashteh & Mr Burton served as the interim board.

A further call for expressions of interest in serving on the board was issued in due course, but no EoIs were received in advance of the SGM held on 25 January 2018.

At its next meeting, on 27 January 2018, the board appointed Mr Phillips & Mr Stewart as Directors of the Company.

Subsequent changes during FY2017/18

On 24 February 2018, the board appointed Mr Paul Moore as a Director of the Company.

On 24 April 2018, the board accepted the resignation of Mr Skeoch as a Director of the Company.

On 17 June 2018, the board appointed Mr Lowe as a Director of the Company.

Chairmen of the board

The board was without a chairman from 18 November 2016 until 21 December 2017.

Mr Skeoch served as Chairman throughout the interregnum, from 21 December 2017 to 27 January 2018.

Mr Phillips served as Chairman from 27 January 2018.

Changes since 30 June 2018

On 11 August 2018, the board accepted Mr Phillips' resignations as Chairman and as a Director of the Company. At the same meeting the board elected Mr Paul Moore as Chairman and he has served in that role ever since.

On 8 September 2018, the board accepted Mr Lowe's resignation as a Director of the Company.

Compliance, risk & regulation

Subsequent events

Since 30 June 2018, there been no events of a financial nature that have significantly affected or may affect the

operations of the Company or the state of affairs of the Company in future years.

Environmental regulations

The Company's operations are not regulated by any significant environmental regulation under the laws of the Commonwealth or any State or Territory.

Indemnification of officers

During the financial year, the Company has paid premiums in respect of contracts insuring any past, present or future Directors, Secretaries or other officers of the Company against certain liabilities.

Proceedings on behalf of the company

No person has applied for leave of court to bring proceedings on behalf of the Company or to intervene in any proceedings to which the Company is a party for the purpose of taking responsibility on behalf of the Company for all or any part of the proceedings.

The Company was not party to any such proceedings during the year.

No audit

The Company is of a type and size that is not required to be audited and, in accordance with a resolution of the Members in General Meeting, no audit has been conducted.

Financial statements

Income statement for the year ended 30 June 2018

	Notes	2018	2017	2016
Income				
Membership fees	3a	295	2,470	3,905
Interest received	1d	46	78	172
Total income	3	341	2,548	4,077
Total expenses	4	5,659	2,602	6,462
Net surplus (deficit)		(5,318)	(54)	(2,385)

Statement of financial position as at 30 June 2018

	Notes	2018	2017	2016
Current assets	1b			
Cash at bank	1c,5	9,660	15,140	16,276
Accounts receivable net of provision	1e,6	–	–	225
Total assets	1f	9,660	15,140	16,501
Current liabilities	1b			
Subscriptions paid in advance		411	531	1,146
Payables	1k	48	89	780
Total liabilities	7	459	620	1,926
Net assets		9,202	14,521	14,575
Equity				
Retained profits		9,202	14,521	14,575
Total equity	8	9,202	14,521	14,575

Statement of changes in equity for the year ended 30 June 2018

	Notes	Issued capital	Retained earnings
2016/17			
Balance as at 1 July 2016		–	14,575
Profit (loss) attributable to members for the year		–	(54)
Balance as at 30 June 2017		–	14,521
2017/18			
Balance as at 1 July 2017		–	14,521
Profit (loss) attributable to members for the year		–	(5,318)
Balance as at 30 June 2018	8	–	9,202

Statement of cash flows for the year ended 30 June 2018

	Notes	2018	2017	2016
Cash balance—opening		15,140	16,276	17,110
Results for year after tax	1h	(5,318)	(54)	(2,385)
Changes in working capital items		(162)	(1,081)	1,551
Cash flow from operations	13	(5,480)	(1,136)	(834)
Cash flow from investment activities	1d	—	—	—
Cash flow from financing activities		—	—	—
Cash (used) / generated		(5,480)	(1,136)	(834)
Cash balance—closing		9,660	15,140	16,276

Notes to the financial statements

1. Basis of preparation and summary of significant accounting policies

The principal accounting policies adopted in the preparation of the financial statements of Open Source Industry Australia Ltd (hereafter “OSIA”) are set out below. These policies have been applied consistently to all the years presented, unless otherwise stated.

(a) Basis of preparation

In the directors’ opinion, the company is not a reporting entity because there are no users dependent on general purpose financial statements.

These are special purpose financial statements that have been prepared for the purposes of complying with the relevant legislation to prepare and distribute financial statements to the members of OSIA. The directors have determined that the accounting policies adopted are appropriate to meet the needs of the members of OSIA.

These financial statements have been prepared in accordance with the recognition and measurement requirements specified by the Australian Accounting Standards and Interpretations issued by the Australian Accounting Standards Board (“AASB”) and the disclosure requirements of AASB 101 “Presentation of Financial Statements”, AASB 107 “Statement of Cash Flows”, AASB 108 “Accounting Policies, Changes in Accounting Estimates and Errors”, AASB 1048 “Interpretation of Standards” and AASB 1054 “Australian Additional Disclosures”, as appropriate for non-for-profit entities.

New accounting standards

New accounting standards and interpretations not yet mandatory, or early adopted Australian Accounting Standards & Interpretations that have recently been issued or amended but are not yet mandatory have not been adopted by the company for the annual reporting period ended 30 June 2018. The company has not yet assessed the impact of these new or amended Accounting Standards & Interpretations.

Historical cost convention

The financial statements have been prepared under the historical cost convention.

Critical accounting estimates

The preparation of the financial statements requires the use of certain critical accounting estimates. It also requires management to exercise its judgement in the process of applying the company’s accounting policies. The areas involving a higher degree of judgement of complexity, or areas where assumption and estimates are significant to the financial statement, are disclosed in Note 2.

Revenue recognition

Revenue is recognised when it is probable that the economic benefit will flow to the company and the revenue can be reliably measured. Revenue is measured at the fair value of the consideration received or receivable.

Sales revenue

Events, fund-raising and raffles are recognised when received or receivable.

Donations

Donations (none were received) are recognised at the time the pledge is made.

Grants

Grants (none were received) are recognised at their fair value where there is a reasonable assurance that the grant will be received and all attached conditions will be complied with.

Other revenue

Other revenue is recognised when it is received or when the right to receive payment is established.

(b) Current and non-current classification

Assets and liabilities are presented in the statement of financial position based on current and non-current classification.

An asset is classified as current when: it is either expected to be realised or intended to be sold or consumed in the normal operating cycle; it is held primarily for the purpose of trading; it is expected to be realised within 12 months after the reporting period; or the asset is cash or cash equivalent unless restricted from being exchanged or used to settle a liability for at least 12 months after the reporting period. All other assets are classified as non-current.

(c) Cash and cash equivalents

Cash and cash equivalents includes cash on hand, deposits held at call with financial institutions, other short-term, highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

(d) Interest

Interest revenue is not material and is recognised when credited.

(e) Trade and other receivables

Other receivables are recognised at amortised cost, less any provision for impairment.

(f) Property, plant and equipment

OSIA presently has no plant or equipment. IT services are provided on hosted computer equipment. The board has resolved to expense certain software development costs which in a commercial enterprise may have been capitalised and depreciated. The amounts involved were:

Year	Item	Amount
2014	Member referral service: development	2,270
2015	Member referral service: development	1,650
2015	Web site re-design	1,760

(g) Impairment of non-financial assets

Other than software developed for OSIA's internal use, OSIA has no non-financial assets and questions of impairment do not arise.

(h) Income tax

The company is exempt from paying income tax.

(i) Goods and services tax ("GST") and other similar taxes

OSIA is a small organisation and elects neither to charge GST on supply of goods nor to claim back GST on the goods & services purchased.

(j) Employee benefits

OSIA has no employees and accordingly does not account for employee benefits.

(k) Trade and other payables

These amounts represent liabilities for goods and services provided to the company prior to the end of the financial year and which are unpaid. Due to their short-term nature they are measured at amortised cost and are not discounted. The amounts are unsecured and are usually paid within 30 days of recognition.

2. Critical accounting judgements, estimates and assumptions

The preparation of the financial statements requires management to make judgements, estimates and assumptions that affect the reported amounts in the financial statements. The board continually evaluates its judgements and estimates in relation to assets, liabilities, contingent liabilities, revenue and expenses. The board bases its judgements, estimate and assumptions on historical experience and on other various factors, including expectations of future events management believes to be reasonable under the circumstances. The resulting accounting judgements and estimates will seldom equal the related actual results. Any judgements, estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities (refer to the respective notes) within the next financial year are discussed below.

(a) Fair value measurement

When an asset or liability, financial or non-financial, is measured at fair value for recognition or disclosure purposes, the fair value is based on the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date; and assumes that the transaction will take place either: in the principal market; or in the absence of a principal market, in the most advantageous market.

Fair value is measured using the assumptions that market participants would use when pricing the asset or liability, assuming they act in their economic best interests. For non-financial assets, the fair value measurement is based on its highest and best use. Valuation techniques that are appropriate in the circumstances and for which sufficient data are available to measure fair value are used, maximising the use of observable inputs and minimising the use of unobservable inputs.

(b) Estimation of useful lives of assets

The board has resolved to charge immediately to expense the cost of developing software for OSIA's internal use. OSIA has no other non-financial or financial assets requiring assessment of useful life.

(c) Employee benefits provision

As discussed in Note 1j, OSIA has no employees and accordingly makes no employee benefit provision.

3. Revenue

	Notes	2018	2017	2016
Member subscriptions received	3a	295	2,470	3,905
Interest received	1d	46	78	172
Total income		341	2,548	4,077

(a) Membership fees

The 2017 board waived membership renewal fees altogether for FY2017/18, such that all members who were financial as at 30 June 2017 automatically had their membership extended to 30 June 2018 for no extra fee.

As a result, the only membership fees shown for 2018 are those collected from members who either joined for the first time for FY2017/18 or rejoined in FY2017/18 after having been unfinancial since FY2015/16 or earlier.

4. Expenses

	Notes	2018	2017	2016
Advertising & promotion	4a	2,629	–	2,500
Bank fees & Paypal commissions		22	21	66
Compliance		527	47	358
Computer, data & networking		66	247	518
Insurance		1,873	1,868	1,876
Printing & design		–	–	450
Seminars & functions		–	89	–
Travel		402	330	694
Total expenses		5,659	2,602	6,462

(a) Advertising & promotion

In FY2015/16 advertising & promotion related solely to OSIA's sponsorship of the Open Source Developer's Conference (OSDC2015).

In FY2017/18 advertising & promotion related solely to expenses incurred in distribution of press releases. After an initial ad hoc arrangement to test the waters, OSIA entered into an ongoing agreement with a major Australian news-wire service.

5. Current assets—cash & cash equivalents

	2018	2017	2016
Current account	1,040	3,551	5,236
Interest-bearing deposit account	7,892	10,597	10,519
Paypal account	728	992	521
Total cash & cash equivalents	9,660	15,140	16,276

6. Current assets—receivables

	Notes	2018	2017	2016
Membership subscriptions		–	–	640
Less amount provided		–	–	(415)
Net receivables	1e	–	–	225

7. Liabilities

(a) Current liabilities

	Notes	2018	2017	2016
Trade & other payables	1k	48	89	780
Members subscription prepayment		411	531	1,146
Employee benefits	2c	–	–	–
Other		–	–	–
Total current liabilities		459	620	1,926

(b) Non-current liabilities

The company had no non-current liabilities as at 30 June 2018.

8. Equity—retained surpluses

	2018	2017	2016
Retained surplus at beginning of year	14,521	14,575	16,960
Surplus (deficit) for the year	(5,318)	(54)	(2,385)
Retained surplus at end of year	9,202	14,521	14,575

The company is limited by guarantee, so has no issued capital.

9. Remuneration of auditors

The company resolved at the previous Annual General Meeting not to appoint an auditor.

10. Contingent liabilities

The company had no contingent liabilities as at 30 June 2018.

11. Commitments

The company had no commitments for expenditure as at 30 June 2018.

12. Events after the reporting period.

No matter or circumstance has arisen since 30 June 2018 that has significantly affected or may significantly affect the company's operations, the results of those operations or the company's state of affairs in future financial years.

13. Reconciliation of surplus after income tax to net cash from operating activities.

	2018	2017	2016
Cash balance—opening	15,140	16,276	17,110
Total cash income	341	2,548	4,077
Total cash expenses	(5,659)	(2,602)	(6,462)
Decrease in accounts receivable	–	640	345
Decrease in AR provision	–	(415)	(570)
Increase in prepaid subscriptions	(120)	(615)	996
Increase in trade creditors	(41)	(691)	780
Rounding adjustment	(-1)	(-1)	–
Cash generated (used)	(5,480)	(1,136)	(834)
Cash balance—closing	9,660	15,140	16,276