

**AUSTRALIAN RAIL, TRAM & BUS INDUSTRY UNION - NATIONAL OFFICE
CONCISE FINANCIAL REPORT
FOR THE YEAR ENDED 31 DECEMBER 2010**

Operating Report

This Operating Report covers:

- the activities of the Australian Rail, Tram & Bus Industry Union, National Office, and the results of those activities for the financial year ended 31st December 2010,
- significant changes in the nature of those activities as required under **s.254 Fair Work (Registered Organisations) Act 2009**.
- Details of any significant changes in financial affairs.
- Details of the rights of members to resign
- Details of officers and members who hold positions as trustees or company officers.
- Members of the committee of management
- Number of members and number of employees

1. Principal Activities of the National Office

The principal activities of the National Office of the Union, as conducted through the National Office, during the past year fell into the following categories:

ACTIVITIES
Making agreements with employers
Implementation of the decisions of the National Executive and National Council
Implementation of the union's organising agenda, including direct assistance and strategic advice on particular industry or site organising projects, the training and development of officials and assistance to branches on planning and resourcing campaigns.
Industrial support including representation of individual member grievances, advice on legal and legislative matters, holding of union elections as provided for in the rules of the union, and responding to the needs of branches and members as provided for within the rules of the union, within the scope of any statutory or legal obligations.
The administration of federal awards, the certification of federal industrial agreements, the variation of awards following major test cases, and making application to vary federal awards on behalf of branches.
National media and communications to members, branches and the broader community via media releases in support of campaigns, web based technology, including the national magazine RTBU Worker.
Coordination of and Negotiation of key national industries, and assistance to branches on bargaining by request.

The National Office has consulted with the ACTU on the development of claims to be pursued in the AIRC and union policy in general. Where appropriate, the National Office has assisted branches in the implementation of relevant decisions via the variation of awards.

The National Office has also been involved in lobbying and negotiations with different levels of Government and key industry organisations around issues of importance to ART&BIU members, eg training, skill shortage, fatigue management, vehicle design.

2. Any Significant Changes in Activities

There were Rule Changes passed at the National Council in November 2009 but these were not ratified by Fair Work Australia during the reporting period.

The following Rule Changes were ratified during 2010:

- *Amendment to National (General) Rules 9, 28, 29, 31, 33, 37, 40, 78 and 79*
- *Amendment to National (General) Rules 43 and 71, and Rules 114, 116, 119, 120, 123 of the Queensland Branch Specific Provisions of the National Rules*
- *Amendment to National (General) Rules 9, 28, 29, 31, 33, 37, 40, 78 and 79, and the creation of new National (General) Rule 38a*
- *Amendment to Victorian Branch Specific Provisions of the National Rules 153, 154, 156, 159, 161 and 162*
- *Amendment to WA Branch Specific Provisions of the National Rules, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181 and 182*

3. Details of any Significant Changes in Financial Affairs

The financial affairs of the National Office have altered due to the following:

- There being no major National Union Funded Campaigns for the period.
- An decrease in Meeting and Conference expenses.
- The timing / receipt of Branch Capitation payments.
- The timing of payments for major National Union Affiliations.
- Refund of prior period Fringe Benefits Tax
- Revaluation of freehold property held.

4. Right of Members to Resign

All Members of the Union have the right to resign from the Union in accordance with Rule 14 of the Union Rules (and Section 174 of Fair Work (RO) Act 2009); namely by providing notice addressed and delivered to the Secretary of the relevant Branch, including via email.

14 - RESIGNATION FROM MEMBERSHIP

- (1) A member of an organisation may resign from membership by written notice addressed and delivered to a person designated for the purpose in the rules of the organisation or a branch of the organisation.

Note: The notice of resignation can be given electronically if the organisation's rules allow for this (see section 9 of the *Electronic Transactions Act 1999*).

- (2) A notice of resignation from membership of an organisation takes effect:

- (a) where the member ceases to be eligible to become a member of the organisation:
- (i) on the day on which the notice is received by the organisation; or
 - (ii) on the day specified in the notice, which is a day not earlier than the day when the member ceases to be eligible to become a member;
- whichever is later; or
- (b) in any other case:
- (i) at the end of 2 weeks, or such shorter period as is specified in the rules of the organisation, after the notice is received by the organisation; or
 - (ii) on the day specified in the notice;
- whichever is later.

- (3) Any dues payable but not paid by a former member of an organisation, in relation to a period before the member's resignation from the organisation took effect, may be sued for and recovered in the name of the organisation, in a court of competent jurisdiction, as a debt due to the organisation.
- (4) A notice delivered to the person mentioned in subsection (1) is taken to have been received by the organisation when it was delivered.
- (5) A notice of resignation that has been received by the organisation is not invalid because it was not addressed and delivered in accordance with subsection (1).
- (6) A resignation from membership of an organisation is valid even if it is not effected in accordance with this section if the member is informed in writing by or on behalf of the organisation that the resignation has been accepted.

Note: Regulations may require employers who offer payroll deduction facilities to inform employees that cessation of payroll deduction by an employee does not constitute resignation (see section 359).

5. Board Positions held by officers, employees of the National Office to be inserted here.

To the best of our knowledge and belief, only the following Officers held any of the following positions by virtue of their office of the Rail, Tram and Bus Union National Council are:

- a trustee of a superannuation entity or exempt public sector superannuation scheme; or
- a director of a company that is the trustee of a superannuation entity or an exempt public sector superannuation scheme; and
- where a criterion for the officer being the trustee or director is that the officer is an officer of a registered organisation.

The member(s) listed below hold the following position(s) as trustees or company directors:

OFFICIAL	ORGANISATION
Bob Nanva	<ul style="list-style-type: none"> • Transport and Logistic Industry Skills Council
Alex Claassens	<ul style="list-style-type: none"> • A Director Encompass Credit Union
Ashley Waddell	<ul style="list-style-type: none"> • Transport & Distribution Training SA Board
Phil Altieri	<ul style="list-style-type: none"> • A Director of Transport Friendly Society Ltd • A Director of Transport Health

6. Membership of the Union.

There were 35,269 members of the union as at 31st December 2010.

7. Employees of the National Office

As at 31 December 2010 the National Office employed 6 full time employees and 2 part time employees with a total number of 6½ employees on a full time equivalent basis.

8. Members of the National Executive

The following persons were members of the National Executive, during the year ending 31st December 2010;

Allan Barden	National Secretary	1/01/2010 to 31/12/2010
Ken Mason	National President	1/01/2010 to 31/12/2010
James Styles	National Vice-President	1/01/2010 to 31/12/2010
Joanne McCallum	National Vice-President Affirmative Action	1/01/2010 to 31/12/2010
Nick Lewocki	Branch Secretary – NSW	1/01/2010 to 31/12/2010
Trevor Dobbyn	Branch Secretary – Vic	1/01/2010 to 31/12/2010
Samantha Simonetis	Branch Secretary – Tas	1/01/2010 to 31/12/2010

Owen Doogan	Branch Secretary – QLD	1/01/2010 to 31/12/2010
Ashley Waddell	Branch Secretary – SA&NT	1/01/2010 to 31/12/2010
Phillip Woodcock	Branch Secretary – WA	1/01/2010 to 31/12/2010
John Curley	Assistant National Secretary – Rail Operations	1/01/2010 to 31/12/2010
Dennis Ellis	Assistant National Secretary – Fleet Maintenance	1/01/2010 to 31/12/2010
Ross Schimke	Assistant National Secretary – Infrastructure	1/01/2010 to 31/12/2010
Darren Lamont	Assistant National Secretary – Locomotive	1/01/2010 to 31/12/2010
Phil Altieri	Assistant National Secretary – Tram & Bus	1/01/2010 to 31/12/2010
Phillip Kessey	Assistant National Secretary – Administrative Superv.	1/01/2010 to 31/12/2010
Alex Claassens	NSW Branch Delegate	1/01/2010 to 31/12/2010
Raul Baonza	NSW Branch Delegate	1/01/2010 to 31/12/2010
David Matters	Qld Branch Delegate	1/01/2010 to 31/12/2010
Lou Di Gregorio	Vic Branch Delegate (T&B)	1/01/2010 to 31/12/2010
Michael Schmitzer	NSW Branch Delegate	1/01/2010 to 31/12/2010
Peter Allen	Qld Branch Delegate	1/01/2010 to 31/12/2010

Bob Nanva

NATIONAL SECRETARY

Dated: 17 May 2011

**AUSTRALIAN RAIL, TRAM & BUS INDUSTRY UNION - NATIONAL OFFICE
CONCISE FINANCIAL REPORT
FOR THE YEAR ENDED 31 DECEMBER 2010**

COMMITTEE OF MANAGEMENT STATEMENT

On 17 May 2011, the Committee of Management of the Australian Rail Tram & Bus Industry Union National Office passed the following resolution in relation to the general purpose financial report (GPFR) of the reporting unit for the financial year ended 31 December 2010.

- (a) the financial statements and notes comply with the Australian Accounting Standards;
- (b) the financial statements and notes comply with the reporting guidelines of the Industrial Registrar;
- (c) the financial statements and notes give a fair view of the financial performance, financial position and cash flows of the reporting unit for the financial year to which they relate;
- (d) there are reasonable grounds to believe that the reporting unit will be able to pay its debts as and when they become due and payable; and
- (e) during the financial year to which the GPFR relates and since the end of that year:
 - (i) meetings of the committee of management were held in accordance with the rules of the organisation including the rules of a branch concerned; and
 - (ii) the financial affairs of the reporting unit have been managed in accordance with the rules of the organisation including the rules of the branch concerned; and
 - (iii) the financial records of the reporting unit have been kept and maintained in accordance with the FW (RO) Act 2009 and the FW (RO) Regulations; and
 - (iv) the financial records of the reporting unit have been kept, as far as practicable, in a consistent manner to each of the other reporting units of the organisation; and
 - (v) no further information has been sought in any request of a member of the reporting unit or a Registrar duly made under section 272 of the FW (RO) Act 2009; and
 - (vi) no order for inspection of financial records have been made by the Commission under section 273 of the FW (RO) Act 2009.
- (f) The National Council has not derived any revenue during the year as a result of any recovery of wages activity it may have undertaken on behalf of members.



Signed 17 May 2011 by Bob Nanva in accordance with such resolution as is passed by the committee of management.

**AUSTRALIAN RAIL, TRAM & BUS INDUSTRY UNION - NATIONAL OFFICE
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OTHER INFORMATION

Concise Financial Report

The Committee of Management of the Australian Rail, Tram & Bus Industry Union National Office has resolved to provide a concise financial report to members for the financial year ended 31 December 2010.

The concise financial report has been derived from the full report and cannot be expected to provide as full an understanding of the financial performance, financial position and financial and investing activities of the branch as the full report. A copy of the full report and auditor's report will be sent to any member who requests them free of charge.

Members are advised of the following provisions:

RAO Schedule of the Workplace Relations Act 1996

Sec 272 Information to be provided to members or Registrar

- (1) A member of a reporting unit, or a Registrar, may apply to the reporting unit for specified prescribed information in relation to the reporting unit to be made available to the person making the application.
- (2) The application must be in writing and must specify the period within which, and the manner in which, the information is to be made available. The period must not be less than 14 days after the application is given to the reporting unit.
- (3) A reporting unit must comply with an application made under subsection (1).

**AUSTRALIAN RAIL, TRAM & BUS INDUSTRY UNION - NATIONAL OFFICE
CONCISE FINANCIAL REPORT
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INCOME STATEMENT

	2010	2009
<u>INCOME</u>		
Interest Received	28,809	25,373
Capitation	1,763,463	1,613,921
Capitation -Prior year	102,344	-
Other Income	(246)	(1,290)
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TOTAL INCOME	1,894,370	1,638,004
<u>LESS EXPENSES INCURRED</u>		
Accountancy	18,277	28,385
Attendance Fee & Allowances	99,188	132,091
Audit Fees	24,461	23,400
Conferences and Meetings	52,202	123,912
Depreciation	52,770	51,792
Donations, Affiliation Fees & Subscriptions-Industrial	41,895	103,939
Donations, Affiliation Fees & Subscriptions-Industrial- Prior Year	(47,937)	-
Donations	4,545	5,291
Council, Executive Expenses & Lost Time	81,345	109,844
Legal Expenses	94,301	199,241
Media	91,161	77,859
Remuneration-Officer Holders	122,204	158,592
Remuneration- Employees	361,270	382,202
Repairs and Maintenance	29,006	20,255
Superannuation	56,115	49,918
Other expenses	207,175	164,886
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TOTAL EXPENSES INCURRED	1,287,978	1,631,607
<u>NET INCOME</u>		
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	606,392	6,397

**AUSTRALIAN RAIL, TRAM & BUS INDUSTRY UNION - NATIONAL OFFICE
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FOR THE YEAR ENDED 31 DECEMBER 2010**

STATEMENT OF CHANGES IN EQUITY

	Retained Profits	Asset Reval	Total
	\$	\$	\$
Balance 1/1/2009	2,419,863	14,305	2,434,168
Surplus/movement for year	6,397	-	6,397
Balance 31/12/2009	2,426,260	14,305	2,440,565
Surplus/movement for year	606,392	311,678	918,070
Balance 31/12/2010	3,032,652	325,983	3,358,635

**AUSTRALIAN RAIL, TRAM & BUS INDUSTRY UNION - NATIONAL OFFICE
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STATEMENT OF FINANCIAL POSITION

	2010	2009
	\$	\$
<u>CURRENT ASSETS</u>		
Cash and Cash Equivalents	2,524,366	1,865,890
Receivables	296,724	206,152
Other	8,082	39,648
	2,829,172	2,111,690
<u>TOTAL CURRENT ASSETS</u>		
 <u>NON-CURRENT ASSETS</u>		
Financial Assets	10	10
Property	712,134	414,989
Plant & Equipment	80,472	71,486
Motor Vehicles	9,857	21,274
	802,473	507,759
<u>TOTAL NON-CURRENT ASSETS</u>		
 <u>TOTAL ASSETS</u>		
	3,631,645	2,619,449
 <u>CURRENT LIABILITIES</u>		
Accounts Payable	175,472	107,309
Provisions	97,538	71,576
	273,010	178,885
<u>TOTAL CURRENT LIABILITIES</u>		
 <u>TOTAL LIABILITIES</u>		
	273,010	178,885
 <u>NET ASSETS</u>		
	3,358,635	2,440,565
 <u>ACCUMULATED FUNDS</u>		
Reserves	325,983	14,305
Accumulated Surplus	3,032,652	2,426,260
	3,358,635	2,440,565
<u>ACCUMULATED FUNDS</u>		
	3,358,635	2,440,565

**AUSTRALIAN RAIL, TRAM & BUS INDUSTRY UNION - NATIONAL OFFICE
CONCISE FINANCIAL REPORT
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STATEMENT OF CASH FLOWS

	This Year Inflows (Outflows) \$	Last Year Inflows (Outflows) \$
CASH FLOW FROM OPERATING ACTIVITIES		
Capitation and other income	1,774,989	1,734,158
Payments to suppliers and employees	(1,109,517)	(1,567,431)
Interest received	28,809	25,373
	694,281	192,100
CASH FLOW FROM INVESTING ACTIVITIES		
Proceeds from (Payment for) property, plant and equipment	(35,805)	(42,606)
Proceeds (Payments) financial assets	-	40
	(35,805)	(42,566)
Net cash provided by (used in) operating activities (Note 2)		
Net increase (decrease) in cash held	658,476	149,534
Cash at beginning of year	1,865,890	1,716,356
	2,524,366	1,865,890
Cash at end of year (Note 1)	2,524,366	1,865,890
<u>NOTES TO THE STATEMENT OF CASH FLOWS</u>		
Note 1: Reconciliation of Cash		
Cash at the end of the financial year as shown in the Statement of Cash Flows is reconciled to the related items in the statement of financial position as follows:		
Cash at Bank and on Deposit	2,524,366	1,865,890
	2,524,366	1,865,890
Note 2: Reconciliation of Cash Flow from Operations with profit from ordinary activities		
Profit from ordinary activities	606,392	6,397
Depreciation	52,770	51,792
Change in assets and liabilities		
(Increase)/Decrease in receivables	(90,572)	120,237
(Increase)/Decrease in other debtors	31,566	(1,422)
Increase/(Decrease) in creditors	68,163	22,082
Increase/(Decrease) in provision for employee entitlements	25,962	(6,986)
	694,281	192,100
Cash flows from operations	694,281	192,100

**AUSTRALIAN RAIL, TRAM & BUS INDUSTRY UNION
- NATIONAL OFFICE
CONCISE FINANCIAL REPORT
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INDEPENDENT AUDITOR'S STATEMENT
TO THE MEMBERS**

Scope

We have audited the concise financial report of The Australian Rail, Tram & Bus Industry Union, National Office for the financial year ended 31 December, 2010 comprising the Committee of Management Statement, Income Statement, Statement of Changes in Equity, Balance Sheet, and Statement of Cash Flows.

Committee of management Responsibility

The Committee of Management are responsible for the preparation and fair presentation of the financial report in accordance with Reporting Guidelines or Part 3 of Chapter 8 of Schedule 1B of the Fair Work(Registered Organisations) Act 2009 This responsibility includes designing, implementing and maintaining internal control relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

Our procedures in respect of the audit of the concise financial report included testing that the information in the concise financial report is consistent with the full financial report, and examination, on a test basis, of evidence supporting the amounts and other disclosures which were directly derived from the full financial report. These procedures have been undertaken to form an opinion whether, in all material respects, the concise financial report is presented fairly in accordance with Accounting Standards and the Fair Work(Registered Organisations) Act 2009 We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Independence

In conducting our audit, we have complied with the independence requirements of Australian Professional Ethical Pronouncements

Audit Opinion

In our opinion, the Concise Financial Report of The Australian Rail, Tram & Bus Industry Union, National Office for the year ended 31st December, 2010 is in accordance with the full audited general purpose financial report available for inspection my members. The Audit opinion, express in that report is as follows:

In our opinion, the general purpose financial report of the Australian Rail, Tram & Bus Industry Union, National Office presents fairly in accordance with applicable Accounting Standards and other mandatory professional reporting requirements in Australia as well as the requirements imposed by the Reporting Guidelines or Part 3 of Chapter 8 of Schedule 1B of the Fair Work (Registered Organisations) Act 2009

Ken Mangraviti
Registered Company Auditor
Ken Mangraviti Pty Ltd
Dated : 17 May, 2011