

AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION
NATIONAL COUNCIL
CONCISE FINANCIAL REPORT
FOR THE YEAR ENDED 31ST DECEMBER, 2008
COMMITTEE OF MANAGEMENT STATEMENT

On 2 September, 2009 the Committee of Management of the Australian Rail Tram & Bus Industry Union, National Council passed the following resolution in relation to the general purpose financial report (GPFR) of the reporting unit for the financial year ended 31st December, 2008:

- (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 RAO Schedule and the RAO 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 RAO Schedule; and
 - (vi) no order for inspection of financial records have been made by the Commission under section 273 of the RAO Schedule.
- (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 2 September, 2009 by Phillip Kessey in accordance with such resolution as is passed by the committee of management.

Information on the Concise Financial Report

The Committee of Management of the Australian Rail, Tram & Bus Industry Union National Council has resolved to provide a concise financial report to members for the financial year ended 31 December 2008.

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

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 AND BUS INDUSTRY UNION
NATIONAL COUNCIL
CONCISE FINANCIAL REPORT
FOR THE YEAR ENDED 31ST DECEMBER, 2008

OPERATING REPORT

This Operating Report covers:

- the activities of the Australian Rail, Tram & Bus Industry Union, National Council, for the financial year ended 31st December 2008,
- the results of those activities and
- any significant changes in the nature of those activities as required under **s.254 Workplace Relations Act 1996**.

1. Principal Activities of the National Council

The principal activities of the National Council 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 The National office has consulted wit 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 no amendments to the National rules during the reporting period.

3. Details of any Significant Changes in Financial Affairs

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

- There being no major National Union Funded Campaigns for the period.
- There being no National Council required to be held during the 2008 Financial Year.
- The timing / receipt of Branch Capitation payments.
- The timing of payments for major National Union Affiliations.
- Lost Time expenses due the secondment of a National Organiser Infrastructure and the outsourcing of the National Union Accounts to the NSW Branch and the provision of Annual Leave Relief.

During the 2007- 8 financial year, the National Office funded branches to implement mutually agreed growth projects and activities arising out of agreed branch projects and industrial campaigns.

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 the Workplace Relations Act); namely by providing notice addressed and delivered to the Secretary of the relevant Branch, including via email.

14 - RESIGNATION FROM MEMBERSHIP

- (1) A member may resign from membership of the Union by written notice addressed and delivered to the Secretary of his/her Branch.
- (2) A notice of resignation from membership of the Union takes effect:-
 - (a) where the member ceases to be eligible to become a member of the Union:-
 - (i) on the day on which the notice is received by the Union; 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 two weeks; or
 - (ii) on the day specified in the notice;whichever is later.
- (3) Any subscriptions, fees, fines and levies owing but not paid by a former member of the Union in relation to a period before the member's resignation took effect, may be sued for and recovered in the name of the Union in a Court of competent jurisdiction, as a debt due to the Union.
- (4) A notice delivered to the Branch Secretary shall be deemed to have been received by the Union when it was delivered.
- (5) A notice of resignation that has been received by the Union is not invalid because it was not addressed and delivered to the Branch Secretary.
- (6) A resignation from membership of the Union is valid even if it is not effected in accordance with this Rule, if the member is informed in writing by or on behalf of the Union that the resignation has been accepted.

174 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 http://www.austlii.edu.au/au/legis/cth/consol_act/eta1999256/s9.html [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
Nick Lewocki	<ul style="list-style-type: none">• An Employee Representative appointed to the Trustee Board of the State Trustee Corporation• A Director of the Trades Hall Association• A Director of Australian Industrial and Skills Forum Pty Ltd• A Director of the Transport and Logistics Centre (TALC)
Alex Claassens	<ul style="list-style-type: none">• A Director of Australian Industrial and Skills Forum Pty Ltd
Doug Klineberg	<ul style="list-style-type: none">• A Director of Australian Industrial and Skills Forum Pty Ltd
Ashley Waddell	<ul style="list-style-type: none">• Transport & Distribution Training SA Board
Phil Altieri	<ul style="list-style-type: none">• Director of Transport Friendly Society Ltd• A Director of Transport Health

6. Membership of the Union.

There were 32,777 members of the union as at 31st December 2008.

7. Employees of the National Council.

As at 31 December 2008 the National Council employed **5** full time employees and one half part time employee with a total number of 5½ 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 2008;

Robert Hayden	National Secretary	1.01.2008 to 1.04.2008
Greg Harvey	National Secretary	1.04.2008 to 31.12.2008
Trevor Dobbyn	National President	1.01.2008 to 31.12.2008
Peter Jenkins	National Vice President	1.01.2008 to 11.08.2008
Raul Boanza	National Vice President	11.08.2008 to 31.12.2008
Joanne McCallum	National Vice President Affirmative Action	1.01.2008 to 31.12.2008
Nick Lewocki	Branch Secretary – NSW	1.01.2008 to 31.12.2008
Samantha Simonetis	Branch Secretary – Tas	1.01.2008 to 31.12.2008
Owen Doogan	Branch Secretary – QLD	1.01.2008 to 31.12.2008
Ashley Waddell	Branch Secretary – SA&NT	1.01.2008 to 31.12.2008
Phillip Woodcock	Branch Secretary – WA	1.01.2008 to 31.12.2008
Greg Harvey	Assistant National Secretary – Rail Operations	1.01.2008 to 11.08.2008
Vacant	Assistant National Secretary – Rail Operations	11.08.2008 to 31.12.2008
Dennis Ellis	Assistant National Secretary – Fleet Maintenance	1.01.2008 to 31.12.2008
Ross Schimke	Assistant National Secretary – Infrastructure	1.01.2008 to 31.12.2008
Dave Mathie	Assistant National Secretary – Locomotive	1.01.2008 to 31.12.2008
Phil Altieri	Assistant National Secretary – Tram & Bus	1.01.2008 to 31.12.2008
Phillip Kessey	Assistant National Secretary – Administrative Superv.	1.01.2008 to 31.12.2008

Alex Claassens	NSW Branch Delegate	1.01.2008 to 31.12.2008
David Matters	Qld Branch Delegate	1.01.2008 to 31.12.2008
Lou Di Gregorio	Vic Branch Delegate (T&B)	1.01.2008 to 31.12.2008
Michael Schmitzer	NSW Branch Delegate	1.01.2008 to 31.12.2008
Peter Allen	Qld Branch Delegate	1.01.2008 to 31.12.2008

Phillip Kessey

ACTING NATIONAL SECRETARY

Dated: 2 September, 2009

AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION

NATIONAL COUNCIL

CONCISE FINANCIAL REPORT

INCOME STATEMENT

For the Year Ended 31st December 2008

	Note	2008	2007
<u>INCOME</u>			
Interest Received		52,694	43,858
Rent Received		—	3,450
Capitation		1,629,805	1,461,031
Affiliations		—	474
IR Campaign Levy		—	149,505
Other Income		21,369	9,904
		<u>1,703,868</u>	<u>1,668,222</u>
TOTAL INCOME		1,703,868	1,668,222
<u>LESS EXPENSES INCURRED</u>			
Depreciation		40,985	21,203
Affiliations Fees & Subscriptions-Industrial Donations		98,474	(2,524)
Donations		2,868	2,773
Council, Executive Expenses & Lost Time		140,443	29,715
Remuneration-Officer Holders		123,926	95,132
Remuneration- Employees		390,657	444,715
Repairs and Maintenance		25,756	14,304
Superannuation		52,528	65,520
Other Expenses		396,969	621,568
		<u>1,272,606</u>	<u>1,292,406</u>
TOTAL EXPENSES INCURRED		1,272,606	1,292,406
<u>NET INCOME</u>		<u>431,262</u>	<u>375,816</u>

AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION

NATIONAL COUNCIL

CONCISE FINANCIAL REPORT

STATEMENT OF FINANCIAL POSITION

As at 31st December 2008

	2008	2007
<u>CURRENT ASSETS</u>		
Cash and Cash Equivalents	1,716,356	1,482,010
Receivables	357,168	265,014
Other	7,448	9,133
	<hr/>	<hr/>
<u>TOTAL CURRENT ASSETS</u>	2,080,972	1,756,157
	<hr/>	<hr/>
<u>NON-CURRENT ASSETS</u>		
Financial Assets	50	60
Property	424,677	434,392
Plant & Equipment	53,671	71,375
Motor Vehicles	38,586	25,394
	<hr/>	<hr/>
<u>TOTAL NON-CURRENT ASSETS</u>	516,984	531,221
	<hr/>	<hr/>
<u>TOTAL ASSETS</u>	2,597,956	2,287,378
	<hr/>	<hr/>
<u>CURRENT LIABILITIES</u>		
Accounts Payable	85,227	157,705
Provisions	78,562	126,768
	<hr/>	<hr/>
<u>TOTAL CURRENT LIABILITIES</u>	163,789	284,473
	<hr/>	<hr/>
<u>TOTAL LIABILITIES</u>	163,789	284,473
	<hr/>	<hr/>
<u>NET ASSETS</u>	2,434,167	2,002,905
	<hr/>	<hr/>
<u>ACCUMULATED FUNDS</u>		
Reserves	14,305	14,305
Accumulated Surplus	2,419,862	1,988,600
	<hr/>	<hr/>
<u>ACCUMULATED FUNDS</u>	2,434,167	2,002,905
	<hr/>	<hr/>

AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION
NATIONAL COUNCIL
CONCISE FINANCIAL REPORT
STATEMENT OF CASH FLOWS
For the Year Ended 31st December 2008

	This Year Inflows (Outflows)	Last Year Inflows (Outflows)
CASH FLOW FROM OPERATING ACTIVITIES		
Capitation	1,290,786	1,406,943
Payments to suppliers and employees	(1,103,755)	(1,231,420)
Interest received	52,695	43,858
IR Campaign Levy	—	149,505
Sundry Income	21,369	13,828
	261,095	382,714
CASH FLOW FROM INVESTING ACTIVITIES		
Proceeds from (Payment for) property, plant and equipment	(26,760)	(32,104)
Proceeds (Payments) financial assets	10	—
Payment for purchase of investment.	—	(60)
	(26,750)	(32,164)
Net cash provided by (used in) operating activities (Note 2)	261,095	382,714
Net increase (decrease) in cash held	234,345	350,550
Cash at beginning of year	1,482,011	1,131,460
	1,716,355	1,482,010
Cash at end of year (Note 1)	1,716,355	1,482,010

NOTES TO THE STATEMENT OF CASH FLOWS

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	1,716,356	1,482,010
	1,716,356	1,482,010
	1,716,356	1,482,010

AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION

NATIONAL COUNCIL

CONCISE FINANCIAL REPORT

STATEMENT OF CASH FLOWS

For the Year Ended 31st December 2008

	This Year Inflows (Outflows)	Last Year Inflows (Outflows)
Note 2: Reconciliation of Cash Flow from Operations with profit from ordinary activities after income tax		
Profit from ordinary activities after income tax	431,262	375,816
Depreciation	40,985	21,203
Change in assets and liabilities		
(Increase)/Decrease in receivables	(92,153)	(54,088)
(Increase)/Decrease in prepaid expenses	1,685	2,685
Increase/(Decrease) in creditors	(72,478)	60,618
Increase/(Decrease) in provision for employee entitlements	(48,206)	(23,520)
Cash flows from operations	<u>261,095</u>	<u>382,714</u>

INDEPENDENT AUDITOR'S STATEMENT
TO THE MEMBERS
AUSTRALIAN RAIL, TRAM & BUS INDUSTRY UNION
NATIONAL COUNCIL

Scope

We have audited the concise financial report of The Australian Rail, Tram & Bus Industry Union, National Council for the financial year ended 31 December, 2008 comprising the Committee of Management Statement, Income Statement, Balance Sheet, Statement of Cash Flows and notes to the financial statements. The Committee of Management is responsible for the financial report. We have conducted an independent audit of this financial report in order to express an opinion on it to the members.

Our audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance whether the concise financial report is free of 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, the Workplace Relations Act 1996 and the Industrial Relations Act 1996

Audit Opinions

In our opinion, the Concise Financial Report of The Australian Rail, Tram & Bus Industry Union, National Council for the year ended 31st December, 2008 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 Council 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 Workplace Relations Act 1996.

Ken Mangraviti

Registered Company Auditor

Ken Mangraviti Pty Ltd

Chartered Accountants

Dated : 2 September, 2009