



30 July 2021

Michael Kaine  
National Secretary  
Transport Workers' Union of Australia  
Sent via email: [legal@twu.com.au](mailto:legal@twu.com.au)

Dear Michael Kaine

**The Transport Workers' Union of Australia's Officer and related party disclosure statement (ORP Statement)**

Thank you for providing your ORP statement. Your ORP statement includes information required to be provided to your members and lodged under subsection 293J of the Fair Work (Registered Organisations) Act 2009 (the RO Act).

**Summary of your ORP Statement and Review Outcome**

Financial year ending 31 December 2020  
Matter number ORP2020/356  
Lodgement date 30 June 2021  
Review Primary Review  
Result FILED

**Your primary review**

Your ORP statement had a **primary review** which checked whether it was signed by an officer, lodged on time, included the required NIL statements and whether you met the requirements that the ROC raised with you last year.



**Your ORP statement satisfied the requirements of the primary review and has been uploaded to the ROC website.**

## **The ROC's risk-based approach**

This year your ORP statement was assessed against a primary review. A primary review does not check all legislative requirements.

Over a five year period the ORP statement of every organisation and branch will be subject to at least one advanced review. An advanced review is a more comprehensive review.

The ROC's [advanced review checklist](#) is published on our website.

## **Do you have questions?**

Information and education materials are available on our [website](#). These materials are regularly updated. We recommend you [subscribe to the ROC's subscription service](#).

If you have any queries we can be contacted on 1300 341 665 or by email at [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).

Yours sincerely

**Registered Organisations Commission**

## OFFICER AND RELATED PARTY DISCLOSURE STATEMENT in accordance with Section 293J Fair Work (Registered Organisations) Act 2009

I, Michael Kaine, being the National Secretary of the Transport Workers' Union of Australia, declare the following Officer and Related Party (ORP) Disclosure Statement.

<b>Organisation name</b>	Transport Workers' Union of Australia	<b>Branch name</b>	Federal Council
<b>Financial year start date</b>	1 <sup>st</sup> January 2020	<b>Financial year end date</b>	31 <sup>st</sup> December 2020

### INSTRUCTIONS FOR COMPLETING THIS STATEMENT:

1. Answer the question about how many officers receive remuneration (remember this includes remuneration from external boards)
2. Enter information into the tables about your branch or organisation. Add extra lines if needed (e.g. if more than one officer receives the same remuneration)
3. If there are no disclosures in any of the cells below, please insert 'NIL'

### Top five rankings of officers – relevant remuneration and non-cash benefits

<b>How many officers do you have who receive remuneration?</b>	<i>Please circle</i>	0	1	<b>2</b>	3	4	5	5+
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Remuneration includes wages and salary (including superannuation), fees, allowances, benefits and other entitlements paid by the organisation AND payments from external board positions (even if not retained by the officer).

When all officers in the ORGANISATION are ranked by relevant remuneration for the financial year, the following officers are ranked no lower than fifth:

Full Name	Office (e.g. Secretary)	Actual amount of relevant remuneration	Value of relevant non-cash benefits	Form of relevant non-cash benefits (e.g. car)
1. John Berger	Victorian/ Tasmania Branch Secretary	\$ 239,884	\$	
2. Ian Smith	South Australia Branch Secretary	\$ 207,175	\$ 11,008	Expense Payment
3. Chris Fennell	Victorian/ Tasmania Branch Assistant Secretary	\$ 204,553	\$	
4. Peter Biagini	Queensland Branch Secretary	\$ 204,505	\$ 9,392	Motor Vehicle
5. Timothy Dawson	Western Australia Branch Secretary	\$ 196,857	\$ 1,541	Motor Vehicle

## Payments to related parties and declared persons or bodies

During the financial year, the following payments were made to related parties or declared persons or bodies. The details of these payments are included below. (This list does not include payments that are exempted from disclosure under section 293G).

Date	Name	Nature of relationship <i>(e.g. company owned by Secretary)</i>	Purpose of payment <i>(e.g. catering)</i>	Amount	Other relevant details
				\$	
				\$	
				\$	
				\$	
				\$	

I declare that:

- the officers listed in this ORP statement are those whose relevant remuneration places them in the top five rankings of officers;
- where fewer officers are listed, this is because only those listed officers received relevant remuneration;
- the only officers in the top five rankings who received non-cash benefits are those for whom an amount is listed in the non-cash benefits column;
- the persons and entities listed under 'payments to related parties' are the only related parties or declared persons or bodies that are required to be disclosed under s.293G, where none are listed this is because there were no disclosable payments;

Signed (by the officer making the declaration):



Dated: 30 June 2021

**PLEASE NOTE: The Officer and Related Party Disclosure Statement must be provided to all members and a copy lodged with the Registered Organisations Commission (ROC) within six months of the end of the financial year.** It can be lodged with the ROC by emailing to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au). ALL BRANCHES are required to lodge an Officer and Related Party Disclosure Statement. It is then published on the ROC website.

## Did you know?



### Relevant remuneration is more than just the remuneration paid to the officer by the organisation

It includes remuneration paid to the officer:

- by boards (such as a superannuation board) in certain circumstances; and
- by a related party of the organisation/branch in connection with the performance of the officer's duties as an officer.



### The definition of related party in section 9B has some big differences from the definition in the accounting standards which applies to financial reporting

- it includes an entity controlled by an organisation, other than a branch, sub-branch, division or subdivision of the organisation or a state/territory-registered association of employees or employers of which the organisation is the federal counterpart
- it includes entities that were a related party at any time within the previous six months
- it also includes entities that believe, or have reasonable grounds to believe, that it is likely to become a related party of the organisation at any time in the future

Some related party payments are exempt from disclosure.



### Declared persons or body do not have exemptions

All payments must be disclosed that have been made to declared persons or bodies.

A declared person or body is:

- a person or body that an officer with financial management duties has disclosed a material personal interest in, and;
- the officer has not notified the organisation or branch that the officer no longer has the interest.



For **further information** on definitions and these requirements please see our:

- tools page for [disclosure obligations](#),
- [compliance calculator](#) for due dates
- [Panel discussion on completing the template](#) or our [podcast demystifying the ORP statement](#) and
- guidance notes for [officers](#) or [organisations](#)