



26 June 2023

Mark Diamond
National Secretary
Australian Rail, Tram and Bus Industry Union
Sent via email: rtbu@rtbu.org.au

cc: mdiamond@rtbu.org.au

Dear Mark Diamond

The Australian Rail, Tram and Bus Industry Union'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 2022

Matter number ORP2022/342

Lodgement date 16 June 2023

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 regulator raised with you last year.

Your ORP statement has been uploaded to the Commission website. You do not need to do anything further this year, however, the following comments are made to assist you when you prepare next year's ORP statement.



Insufficient Nil Statements

The section of your ORP statement titled 'Payments to related parties and declared persons or bodies' did not contain 'NIL' statements and this made it unclear whether you had fully completed the statement.

It is the view of the Commission that NIL statements provide greater clarity and transparency for members. Such statements reassure the organisation's members and the Commission that the organisation or branch has turned its attention to officers' relevant remuneration, their non-cash benefits and payments to related parties.

Hint: Your reminder letter had examples of how to do a NIL statement, you can also refer to our [ORP statement template](#) which contains help about NIL statements.

Please ensure that next year's ORP statement contains NIL statements instead of blanks.

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

Do you have any questions?

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

If you have any queries we can be contacted on 1300 341 665 or by email regorgs@fwc.gov.au.

Yours sincerely

Fair Work Commission

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

I, Mark Diamond being the National Secretary of the Australian Rail, Tram and Bus Industry Union declare the following Officer and Related Party (ORP) Disclosure Statement.

Organisation name	Australian Rail, Tram and Bus Industry Union	Branch name	National
Financial year start date	01/01/2022	Financial year end date	31/12/22

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

How many officers do you have who receive remuneration?	<i>Please circle</i>	0	1	2	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 National Office 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)
Mark Diamond	National Secretary	\$166,179.31 (Base) \$20,178.69(Superannuation) \$30,468.98* (Annual Leave/ADO cash out)	\$17,853.94	Motor Vehicle (Statutory Formula Method used to calculate FBT)

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)
Leanne Holmes**	National Vice President (Affirmative Action) ****	\$121,523.84 (Base) \$14,395.08 (Superannuation)	N/A	
Shayne Kummerfeld	Assistant National Secretary	\$143,270.91 (Base) \$14,599.10 (Superannuation)	N/A	

*Auditors identified that annual leave accruals had to be brought down so leave was cashed out in accordance with the legislation

** Leanne Holmes holds an honorary position and remuneration received is due to her employee position as an organiser.

Payments to related parties and declared persons or bodies

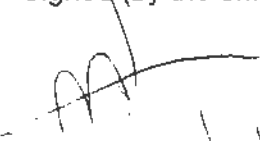
During the financial year, the following payments were made to related parties or declared persons or bodies. The details of these payments are included below. (This list does not include payments that are exempted from disclosure under section 293G).

Date	Name	Nature of relationship (e.g. company owned by Secretary)	Purpose of payment (e.g. catering)	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: 16/6/23