



FAIR WORK
COMMISSION

17 October 2013

Mr Alex Claassens
Secretary, New South Wales Branch
ARTBIU
Level 4, 321 Pitt Street
SYDNEY NSW 2000

Dear Mr Claassens

**Re: Lodgement of Financial Accounts and Statements – ARTBIU, New South Wales
Branch – for year ending 31 December 2012 (FR2012/615)**

I refer to the above financial statements and accounts which were lodged with the Fair Work Commission on 8 June 2013.

I have filed the documents. There is no further action required in respect of the report.

You will be aware that new Reporting Guidelines were issued on 26 June 2013 and will apply to the next financial report. I attach a copy for your reference. I have highlighted some of the additional new disclosure requirements contained in the new Guidelines, along with clarifications not previously brought to the Branch's attention, in the table attached.

Please do not hesitate to contact me on (02) 6723 7237 if you have any queries about the financial reporting requirements at any time.

Yours sincerely

Stephen Kellett
Senior Adviser, Regulatory Compliance Branch

Table of particular requirements

Provision	What it says	Explanation/Clarification
<p>Section 252(3)</p> <p>Section 253(4)</p> <p>Section 253(1)</p> <p>AASB 101(27)</p>	<p>“Financial records of an organisation may.....be kept on a cash basis or accrual basis....”</p> <p>“...it may keep the financial records for its membership subscriptions on a cash basis”</p> <p>“...a reporting unit must cause a general purpose financial report to be prepared in accordance with the Australian Accounting Standards...”</p> <p>“An entity shall prepare its financial statements, except for cash flow information, using the accrual basis of accounting”</p>	<p>These three references need to be read together. A distinction exists between <i>keeping</i> records and <i>reporting</i>. This is a fine distinction that has been missed by a number of organisations and only recently corrected by FWC.</p> <p>This means that membership subscriptions (i.e. membership contributions) should be <i>reported</i> on the accrual basis even if, during the year, the original records are <i>kept</i> on a cash basis.</p> <p>Your report states that it is prepared on an accruals basis. Future reports should make clear that membership contributions are reported on the accrual basis not on a cash basis.</p>
<p>Regulation 159(b)</p> <p>For Operating Report</p>	<p>“The following information is prescribed: The number of persons who were, at the end of the financial year to which the report relates, employees of the reporting unit, where the number of employees includes both full-time and part-time employees measured <u>on a full-time equivalent basis</u>”</p>	<p>This means that where the number of employees includes part-time employees (such as your disclosure of “26 full time and...6 part-time” employees, they must be calculated and expressed as a full-time equivalent.</p>
<p>New Reporting Guidelines 17(f) and</p> <p>17(g)</p> <p>(For Income Statement or Notes)</p> <p>21(c) and (d)</p> <p>(For Statement of Financial Position or Notes)</p>	<p>“Balances for the following items of expense must be disclosed by the reporting unit..... (f) employee expenses related to <u>holders of office</u> by (i) wages and salaries; (ii) superannuation; (iii) leave and other entitlements; (iv) separation and redundancies; and (v) other employee expenses (specify if material)</p> <p>Balances for the following items of expense must be disclosed by the reporting unit..... (f) employee expenses related to <u>employees (other than holders of office)</u> by (i) wages and salaries; (ii) superannuation; (iii) leave and other entitlements; (iv) separation and redundancies; and (v) other employee expenses (specify if material)”</p> <p>“Total amounts for the following items must be disclosed.... c) employee provisions in respect of holders of offices in the reporting unit by: i. annual leave; ii. long service leave; iii. separation and redundancies; iv. other employee provisions; and</p> <p>d) employee provisions in respect of employees (other than holders of offices) of the reporting unit by: i. annual leave; ii. long service leave; iii. separation and redundancies; and iv. other employee provisions.</p>	<p>There has always been a requirement to report employment-related payments and provisions (or payables) separately between those who are holders of office and those who are not. The new Reporting Guidelines identify various sub-categories for distinct disclosure.</p> <p>Your General Fund Income Statement correctly disclosed separate “remuneration” (i.e. wages and salaries) balances for office-holders and for employees. The next report must also disclose separately for office-holders and employees expense balances for the other categories of benefits (as listed).</p> <p>The same separate disclosures also apply to “Provisions” (see next column). All balances related to the payment or provision for employment benefits in the prescribed categories listed must be clearly described as either made to elected office-holders or to non-office-holder employees.</p>

<p>New Reporting Guideline 17(c)</p> <p>and (e)</p>	<p>(c) where fees and periodic subscriptions are paid in respect of its affiliation to any political party, any federation, congress, council or group of organisations, or any international body having an interest in industrial matters:</p> <ul style="list-style-type: none"> i. the amount paid to each entity; and ii. the name of each entity to which monies were paid; <p>e) where grants or donations have been paid:</p> <ul style="list-style-type: none"> i. the total amount paid in grants; and ii. the total amount paid in donations; 	<p>The Guidelines make a distinction between “Affiliation expenses” and “Donation” and “Grant” expenses. To reflect these requirements and avoid uncertainty, these items should be disclosed as separate line items.</p>
<p>New Reporting Guideline 25</p> <p>For Notes</p>	<p>“Where another reporting unit and/or controlled entity of the organisation is the source of a cash inflow or the application of a cash outflow, such cash flow should be separately disclosed in the notes to the financial statements and show the <u>name of the other reporting unit</u> and/or controlled entity concerned”</p>	<p>This requirement should be self-explanatory.</p>
<p><i>General Note</i></p> <p>The new Reporting Guidelines set out a number of specific items for disclosure and make it a requirement to avoid doubt by making specific statements in relation to specifically prescribed items even where they have not occurred in any reporting period. [see paragraphs 14, 16, 18, 20, 22, 24, 26, 33, 38 attached]</p> <p>As a general rule, to avoid doubt in matters of compliance, using the words, terms, descriptions or phrases set out in legislation, regulations or other standards is often the simplest approach to avoid inadvertently misinterpreting or overlooking information disclosures.</p>		



FAIR WORK
COMMISSION

17 October 2013

Mr Ken Mangraviti
C/- Ken Mangraviti Pty Ltd
Suite D, Level 4, 140 William Street
EAST SYDNEY NSW 2011

Dear Mr Mangraviti

**Re: Lodgement of Financial Accounts and Statements – ARTBIU, New South Wales
Branch – for year ending 31 December 2012 (FR2012/615)**

I refer to the above financial statements and accounts which were lodged with the Fair Work Commission on 8 June 2013.

There is no further action required in respect of the report and I have filed the documents. I have written to the Branch and attach a copy of my letter, for your information.

Yours sincerely

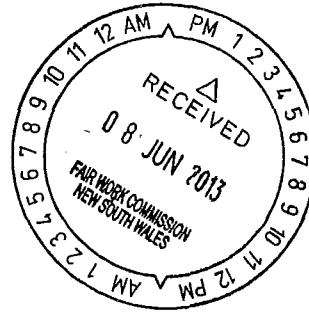
Stephen Kellett
Senior Adviser, Regulatory Compliance Branch



FR2012/615

AC:MM

Wednesday, June 05, 2013



**MR STEPHEN KELLETT
FAIR WORK AUSTRALIA
STATUTORY SERVICES BRANCH
LEVEL 8, 80 WILLIAM STREET
EAST SYDNEY NSW 2011**

Dear Mr Kellett

Please find attached Financial Statements for financial year ending December 2012.

Yours faithfully

**ALEX CLAASSENS
BRANCH SECRETARY**

Level 4, 321 Pitt Street
Sydney NSW 2000

Tel (02) 9264 2511

Fax (02) 9261 1342

E-mail
nswwho@rtbu-nsw.asn.au

Website

www.rtbu-nsw.asn.au

NEWCASTLE OFFICE

33 Gordon Avenue

Hamilton NSW 2303

Tel (02) 4961 4311

Fax (02) 4961 4779

E-mail
newcastle@rtbu-nsw.asn.au

WOLLONGONG OFFICE

Level 1, 306A Crown Street

Wollongong NSW 2500

Tel (02) 4227 5798

Fax (02) 4226 5262

E-mail
wollongong@rtbu-nsw.asn.au

ABN 55 090 785 801

AUSTRALIAN RAIL TRAM & BUS INDUSTRY UNION

NEW SOUTH WALES

Certificate of Secretary or other Authorised Officer

Section 268 Fair Work (Registered Organisations) Act 2009 (RO Act)

I Alexander Claassens being the Branch Secretary of the Australian Rail Tram & Bus Industry Union, New South Wales certify:

- That the documents lodged herewith are copies of the full report (and the concise report), referred to in s268 of the RO Act for the Australian Rail Tram & Bus Industry Union NSW for the period ended 31/12/2012; and
- That the concise report was provided to members of the Australian Rail Tram & Bus Industry Union NSW on 2nd May, 2013 in accordance with s.265 of the RO Act; and
- That the full report was presented to a meeting of the committee management of the reporting unit on the 30th May, 2013 in accordance with section 266 of the RO Schedule.

Signature:

.....*A Claassens*.....

Alexander Claassens
Branch Secretary

Date:

.....*30.5.2013*.....

**AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES BRANCH
AND
THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES**

FINANCIAL REPORT

For the Year Ended 31st December 2012

**INDEPENDENT AUDIT OPINION
TO THE MEMBERS OF
AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES BRANCH
AND
THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES**

Report on the Financial Report

We have audited the accompanying financial report of the Australian Rail, Tram and Bus Industry Union, New South Wales Branch and of The Australian Rail, Tram and Bus Industry Union, New South Wales which comprises the statement of financial position as at 31 December 2012, statements of financial performance, statement of changes in accumulated funds and statement of cash flows for the year ended on that date, a statement of significant accounting policies, the Committee of Management's Statement and Certificate by Accounting Office (State organisation only).

Committee of Management Responsibility

The Committee of Management are responsible for the preparation and true and fair presentation of the financial report in accordance with the Fair Work (Registered Organisations) Act 2009 and the Industrial Relations Act 1996, and for such internal control as the committee determines is necessary to enable the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error, and selecting appropriate accounting policies as stated in Note 1 to the financial report.

Audit Approach

Our responsibility is to express an opinion on the financial report based on our audit. We conduct 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 misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the directors, as well as evaluating the overall presentation of the financial report.

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 followed applicable independence requirements of Australian professional ethical pronouncements.

Recovery of Wage Activity

The accompanying notes to the financial statements includes comment that the Union has not derived any revenue during the year as a result of any recovery of wage activity it may have undertaken on behalf of members. Our Audit Opinion has been formed on the basis that no recovery of wage activity was undertaken.

**INDEPENDENT AUDIT OPINION
TO THE MEMBERS OF
AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES BRANCH
AND
THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES**

Audit Opinion

For the purposes of the Fair Work (Registered Organisations) Act 2009

In our opinion, the general purpose financial report of the Australian Rail, Tram & Bus Industry Union, New South Wales Branch 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.

For the purposes of the Industrial Relations Act 1996

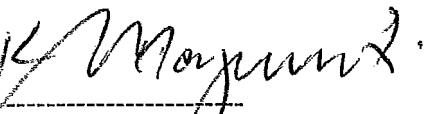
We report that we have inspected and audited the accounting records of The Australian Rail, Tram & Bus Industry Union, New South Wales in relation to the year ended 31 December 2012 and report that in our opinion, satisfactory accounting records were kept by the organisation in relation to the period, including:

- (a) (i) records of the sources and nature of the income of the organisation (including income from members); and
- (ii) records of the nature and purpose of the expenditure of the organisation;

in our opinion the accounts and other statements prepared under section 510 of the Industrial Relations Act 1991 in relation to the period were properly drawn up, so as to give a true and fair view of :

- (b) (i) the financial affairs of the organisation as at 31 December 2012; and
- (ii) the income and expenditure and surplus of the organisation for the year ended 31 December 2012;
- (c) (i) all information, being information which was reasonably wanted for the purpose of this audit, which was required and sought by us or by any person authorised by me for the purpose of the audit, was provided.

We also understand that to the extent that there was any deficiency, failure or shortcoming in relation to the matters referred to above, we must report particulars in accord with Section 514 (5) of the Industrial Relations Act.



K J Mangraviti
Ken Mangraviti Pty Ltd
Chartered Accountants
Registered Company Auditor

Date: 21 March, 2013

**COMMITTEE OF MANAGEMENT STATEMENT
FEDERAL ORGANISATION**

AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES BRANCH

On *21 March* 2013 the Committee of Management of the Australian Rail, Tram and Bus Industry Union, New South Wales Branch passed the following resolution in relation to the general purpose financial report (GPFR) of the reporting unit for the financial year ended 31 December, 2012:

The Committee of Management declares that in its opinion:

- (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 General Manager of the Fair Work Commission;
- (c) the financial statements and notes give a true and 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 a branch concerned; and
 - (iii) the financial records of the reporting unit have been kept and maintained in accordance with the RO Act; 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) information has been furnished to any member of the reporting unit or to the General Manager of the Fair Work Commission, as the case may be, where information sought by the member or the General Manager of the Fair Work Commission was duly made under section 272 of the RO Act; and
 - (vi) no order for inspection of financial records have been made by the Fair Work Commission under section 273 of the RO Act.
- (f) The Branch has not derived any revenue during the year as a result of any recovery of Wage activity it may have undertaken on behalf of members.

Signed in accordance with such resolution as is passed by the committee of management



Signed at Sydney *21-March* -2013

SCOPE OF OPERATING REPORT

This Operating Report covers the;

1. Activities of the Australian Rail, Tram and Bus Industry Union NSW Branch (RTBU NSW), and results of those activities for the calendar year 1 January 2012 to 31 December 2012;
2. Significant changes in the nature of the activities as required under Fair Work (Registered Organisations) Act 2009.
3. Details of any significant changes in financial affairs.
4. Details of the rights of members to resign
5. Details of officers who hold positions as superannuation trustees or company directors.
6. Prescribed information - number of members and number of employees
7. Members of the committee of management
8. 2012 Union Elections

THE PRINCIPAL ACTIVITIES & RESULTS OF THE ACTIVITIES OF THE BRANCH

The RTBU NSW is a member based, state & federally registered trade union representing members whose usual place of work is located within the State of New South Wales (NSW) and the Australian Capital Territory (ACT) together with members employed rail, tram (light rail) and government owned and operated bus industries.

The reporting unit's activities are directed by the NSW Branch Executive and NSW Branch Council in accordance with our objectives and rules of registration.

The principal activities and the results of these activities fell into the following categories:

ACTIVITIES	2012 RESULTS
1. Making agreements with employers.	<ul style="list-style-type: none"> • 52 Federally registered Agreements • 2 NSW State Awards (State Transit) • 1 NSW State Award (Transport for NSW)
2. Implementation of Branch Council's agenda,	<ul style="list-style-type: none"> • The RTBU NSW Branch Plan provides a framework for major Branch activities, and include: <ul style="list-style-type: none"> - Organsing - Servicing - Communications - Education and Training - Community - Campaigning - Political - Financial • Conducted a series of Branch Planning workshops with officers & delegates to develop priorities and objectives for Branch activities

3. Representing members in tribunals and related institutions and provided assistance and strategic advice to individual members in relation to workplace issues.	<ul style="list-style-type: none"> • 31 appeals before NSW Transport Appeals Board (TAB) • Range of individual member advice through union office, and workplace representation • See 10 below for more details
4. Electing representatives to peak trade union bodies in NSW.	<ul style="list-style-type: none"> • UnionsNSW - 7 delegates and alternate delegates. • South Coast Labor Council - 2 nominated delegates
5. Attending meetings called by peak union bodies in NSW.	<ul style="list-style-type: none"> • Attended approximately 41 UnionsNSW General meetings. • 41 UnionsNSW Executive meetings • 6 UnionsNSW OHS & WC meetings • 6 South Coast Labour Council meetings
6. Making submissions on behalf of the branch to inquiries and proceedings affecting the industry.	<ul style="list-style-type: none"> • 6 submissions were made in 2012
7. Training delegates & representatives.	<ul style="list-style-type: none"> • 19 delegates training courses were conducted • 176 workplace delegates were trained. • 21 Work Health and Safety courses were conducted in metropolitan and regional areas (as part of a WorkCover Assist program), with 215 RTBU members participating in the training
8. Produced and distributed circulars, bulletins, newsletters and materials as authorised by the union.	<ul style="list-style-type: none"> • Produced and distributed: <ul style="list-style-type: none"> - 4 issues of the official union journal <i>Rail & Road</i>; - 10 issues of RTBU Express – Branch electronic newsletter - 63 Branch membership bulletins - 31 RTBU Transport Watchdog Bulletins - Rail Operations Division <ul style="list-style-type: none"> o Guards - 5 Blue Light newsletters o Signallers News – 3 newsletters o Transit News – 4 newsletters - Locomotive Division: <ul style="list-style-type: none"> o 36 Loco Express Electronic newsletter o 16 Footplates o 39 circulars - Tram and Bus <ul style="list-style-type: none"> o 22 Bus Express electronic newsletter
9. General Member Services	<ul style="list-style-type: none"> • Range of member services provided: <ul style="list-style-type: none"> o RTBU Holiday Park o Access to other holiday facilities, through partner organisations o Financial Services through partner organisations o Taxation and accounting services through partner organisations o Member resources (eg: WHS resource kit developed)

	<ul style="list-style-type: none"> o Health fund services through partner organisation o Membership information kits o RTBU website
10. Legal Services	<ul style="list-style-type: none"> • A range of legal referral services available to members through partner legal organizations • RTBU established internal industrial/legal resources to assist members with direct representation on a range of workplace issues, such as appeals, dismissal, disciplinary hearings (as per item 3. above) • Legal fund established through membership levy to provide Industrial/legal services.
11. Policy Development	<ul style="list-style-type: none"> • A number of policy changes were implemented during the reporting period to improve the effectiveness and accountability across the Branch
12. Rule Changes	<p>The September Branch Council discussed the proposed Rule Changes outlined below;</p> <ul style="list-style-type: none"> • Rule 47(3) – Branch Offices: Eligibility and Term of Office • Rule 100(4) & (6) - Composition and Ordinary Meetings of the Branch Divisional Committees • Rule 101(2) & (3) - Branch Offices • New Rule – NSW Branch Specific – Workplace Delegates <p>These rules were endorsed by way of a teleconference on 8th of October 2012, the National Office has been advised and they will now be passed onto the National Council for their endorsement.</p>

ANY SIGNIFICANT CHANGES IN ACTIVITIES

The principle activities of the Branch during the year were that of a registered trade union and no significant change occurred in the nature of those activities.

DETAILS OF ANY SIGNIFICANT CHANGES IN FINANCIAL AFFAIRS

The RTBU NSW financial affairs are summarised below; *(for more information see attachment A: Financial Report)*

- Total assets and accumulated funds remained relatively stable for the operating year to 31 December 2012; with following variations
- a increase in current assets of \$2,169,296 for the operating year to 31 December 2012;
- a decrease in non-current assets of \$1,179,190 for the operating year to 31 December 2012
- an increase in total income of \$846,240 for the operating year to 31 December 2012;
- an increase in total expenses of \$169,886 for the operating year to 31 December 2012.

OTHER RELEVANT INFORMATION

- The RTBU NSW also managed the RTBU Holiday Park at Jervis Bay on behalf of the union and its members.

DETAILS OF THE RIGHTS OF MEMBERS TO RESIGN

All members of the RTBU NSW have the right to resign from the union in accordance with *Rule 14, Resignation from Membership*, of the Rules of RTBU NSW.

DETAILS OF OFFICERS WHO HOLD POSITIONS AS TRUSTEES OR COMPANY DIRECTORS

The following office holders hold positions as trustees or company directors, by virtue of their office of the RTBU NSW is:

Alex Claassens	<ul style="list-style-type: none"> • Employee Representative appointed to the Board of the State Trustee Corporation • Membership Elected Director of the Encompass Credit Union
----------------	--

PRESCRIBED INFORMATION**Number Of Members**

As at the 31 December 2012 there were 16,485 members of the RTBU NSW across the following Divisions of the union:

DIVISION	FINANCIAL MEMBERS	UNFINANCIAL MEMBERS	TOTAL
Rail Operations	3611	127	3738
Infrastructure	1562	75	1637
Workshops	1060	43	1103
Admin / Professional	2242	75	2317
Locomotive	3566	52	3618
Bus and Tram	3880	192	4072
TOTAL	15,921	564	16,485

Numbers of Employees

As at the 31 December 2012 the RTBU NSW Branch employed 26 full-time employees, 1 full-time contractor, and 6 Part-time employee.

POSITION	No. OF EMPLOYEES	
	(Full Time)	(Part Time)
Elected Paid Officials	6	0
Employed industrial staff	14	3
Administrative Support	6	3
Contract / Project staff	1	

MEMBERS OF THE COMMITTEE OF MANAGEMENT

The members of the Committee of Management during the year ending 31 December 2012 were:

BRANCH EXECUTIVE	
Branch President (Honorary)	Anthony Clear
Senior Branch Vice-President (Honorary)	Doug Klineberg
Junior Branch Vice-President (Honorary)	Carissa James
Branch Secretary	Alex Claassens
Assistant Branch Secretary (Honorary)	David Woollams
Branch Organiser	Mick Cartwright
Branch Organiser	Doug Klineberg
Locomotive Divisional President	Brett Rosser
Locomotive Divisional Secretary	Robert Hayden
Tram & Bus Divisional President	Gary Way
Tram & Bus Divisional Secretary	Chris Preston
Infrastructure Divisional President	James Buckley
Infrastructure Divisional Secretary	Ray West
Administrative, Supervisory Technical and Professional Divisional President	Mark Thompson
Administrative, Supervisory Technical and Professional Divisional Secretary	Bob Barker
Fleet Manufacture, Overhaul, Maintenance and Service Divisional President	Ida Skye Morrison
Fleet Manufacture, Overhaul, Maintenance and Service Divisional Secretary	Mick Bartlett
Rail Operations Divisional President	Michael Sullivan
Rail Operations Divisional Secretary	Joanne McCallum

THE REGISTERED OFFICE OF THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NSW BRANCH IS:

LEVEL 4, 321 PITT STREET
SYDNEY NSW 2000

2012 ELECTIONS

At the time of reporting, the Australian Electoral Commission (AEC) was conducting elections for a range of Branch and National RTBU offices. Postal ballots for these elections closed on 18 March 2013, and results of these will form the basis of the Office holder information provided in the next Operating Report.



NSW Branch Secretary

Date: 31 March 2013

AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES BRANCH
AND
THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES

STATEMENT FINANCIAL PERFORMANCE
For the Year Ended 31st December 2012

GENERAL FUND

	2012	2011
	\$	\$
<u>INCOME</u>		
Dividends Received	38	36
Interest Received	382,952	283,535
Rent Received	197,059	42,277
Members Contributions	7,084,902	6,482,148
Book Sales	127	64
Account Services Income	3,818	12,927
Other Income	7,163	26,099
Work Cover Grant	38,327	30,476
Rail & Road Advert	22,500	29,000
Profit on Sale of Fixed Assets	26,182	6,401
	7,763,069	6,912,961
 TOTAL INCOME		 6,912,961
<u>LESS EXPENSES INCURRED</u>		
Air Fares & Travelling Expenses	45,898	54,620
Audit Fees	44,610	42,465
Auditors Other Services	14,870	3,910
Body Corporate Fees	131,123	146,706
Bank Charges & F.I.D. etc	36,196	27,424
Branch Council Expenses	16,503	13,437
Campaigns	15,137	-
Commissions	26,388	2,573
Consultants Fees	130,375	120,554
Depreciation	283,353	279,060
Donations, Affiliations Fees & Subscriptions-Industrial Council, Executive Expenses & Lost Time	167,049	141,963
Donations, fees and Subs-other	10,818	46,174
Electricity	49,834	43,514
Organizing Expenses	88,512	131,964
Fringe Benefits Tax	29,228	9,107
Fundraisers - Functions	1,364	-
General Expenses	62,466	54,490
Hire - Plant and Equipment	512	4,851
Honorariums	24,600	28,990
Insurances - General	107,477	98,815
Legal Expenses	176,788	102,166
Motor Vehicle Expenses	113,809	102,813
Members Training	14,869	7,435
Members Mortality Fund	37,500	42,500

The accompanying notes form part of these financial statements

AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES BRANCH
AND
THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES

STATEMENT FINANCIAL PERFORMANCE
For the Year Ended 31st December 2012

GENERAL FUND

	2012	2011
	\$	\$
Members Council Expenses	1,500	-
Payroll Tax	161,209	144,600
Parking Levy	17,137	16,800
Postage	11,385	17,477
Provision for Employee Entitlements	(76,072)	116,103
Printing, Stationery & Computer Software	156,130	190,875
Publications & Subscriptions	6,735	2,900
Remuneration-Office Holders	565,500	560,316
Remuneration-Employees/Delegates	2,334,479	2,067,543
Rail & Road Publishing & Other Costs	123,350	178,528
Rates and Taxes	44,715	40,617
Repairs and Maintenance	118,724	93,206
Staff Fares & Travelling	9,522	13,334
Staff Training	10,816	6,080
Staff Uniforms	7,594	8,838
Superannuation	755,724	495,459
Sustentation National Office	885,135	861,814
Telephone	121,148	114,874
Badges & Other Items	63,833	71,731
Political Action Campaign	1,738	84,247
Website Maintenance	78,674	71,793
TOTAL EXPENSES INCURRED	7,294,987	7,043,076
<u>NET INCOME</u>	468,082	(130,115)

The accompanying notes form part of these financial statements

AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES BRANCH
AND
THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES

STATEMENT FINANCIAL PERFORMANCE
For the Year Ended 31st December 2012

SUSSEX INLET PARK

	2012 \$	2011 \$
<u>INCOME</u>		
Rent Received - Caravans	94,094	97,527
Rent Received - Units	123,702	122,706
	217,795	220,233
TOTAL INCOME	217,795	220,233
 <u>LESS EXPENSES INCURRED</u>		
Depreciation	51,896	45,975
Electricity	32,152	19,280
General Expenses	466	1,404
Insurances	17,856	7,494
Motor Vehicle Expenses	1,064	1,041
Printing & Stationary	3,974	287
Rates and Taxes	10,545	13,409
Repairs and Maintenance	14,073	67,660
Telephone	1,617	228
Sussex Inlet Contract	128,527	123,584
	262,170	280,362
TOTAL EXPENSES INCURRED	262,170	280,362
<u>NET LOSS</u>	(44,375)	(60,130)

The accompanying notes form part of these financial statements

AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES BRANCH
AND
THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES

STATEMENT FINANCIAL PERFORMANCE
For the Year Ended 31st December 2012

BUS & TRAM PICNIC FUND

	2012	2011
	\$	\$
<u>INCOME</u>		
Members Contributions	220,975	202,636
	<hr/>	<hr/>
	220,075	202,636
	<hr/>	<hr/>
TOTAL INCOME	220,075	202,636
<u>LESS EXPENSES INCURRED</u>		
Picnic Expenses	100,471	179,768
	<hr/>	<hr/>
TOTAL EXPENSES INCURRED	100,471	179,768
	<hr/>	<hr/>
<u>NET INCOME</u>	120,504	22,868
	<hr/>	<hr/>

The accompanying notes form part of these financial statements

AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES BRANCH
AND
THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES

STATEMENT FINANCIAL PERFORMANCE
For the Year Ended 31st December 2012

BUS & TRAM TRAFFIC FUND

	2012	2011
	\$	\$
<u>INCOME</u>		
Members Contributions	199,696	219,465
	<hr/>	<hr/>
	199,696	219,465
	<hr/>	<hr/>
TOTAL INCOME	199,696	219,465
<u>LESS EXPENSES INCURRED</u>		
Commission Paid	4,949	2,607
Fines	79,816	65,440
Legal Expenses	-	1,254
	<hr/>	<hr/>
TOTAL EXPENSES INCURRED	84,765	69,301
	<hr/>	<hr/>
<u>NET INCOME</u>	114,932	150,164
	<hr/>	<hr/>

The accompanying notes form part of these financial statements

**AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES BRANCH
AND
THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES**

**STATEMENT OF CHANGES IN ACCUMULATED FUNDS
As at 31st December 2012**

	Retained Profits	Asset Reval	Total
	\$	\$	\$
Balance 1/1/2011	13,972,225	3,378,550	17,350,775
Surplus/movement for year	(17,213)	-	(17,213)
	<hr/>	<hr/>	<hr/>
Balance 31/12/2011	13,955,012	3,378,550	17,333,562
Surplus/movement for year	659,143	-	659,143
	<hr/>	<hr/>	<hr/>
Balance 31/12/2012	14,614,155	3,378,550	17,992,705
	<hr/>	<hr/>	<hr/>

The accompanying notes form part of these financial statements

**AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES BRANCH
AND
THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES**

**STATEMENT OF FINANCIAL POSITION
As at 31st December 2012**

	Note	2012 \$	2011 \$
<u>CURRENT ASSETS</u>			
Cash and Cash Equivalents	3	7,682,802	5,656,099
Receivables	4	255,183	163,887
Other	5	169,129	117,832
		<hr/>	<hr/>
<u>TOTAL CURRENT ASSETS</u>		8,107,114	5,937,818
		<hr/>	<hr/>
<u>NON-CURRENT ASSETS</u>			
Financial Assets	6	1,236	996,249
Property	7	6,587,686	6,695,787
Investment Property	8	3,560,429	3,560,429
Plant & Equipment	9	223,501	247,993
Motor Vehicles	10	140,191	160,417
Sussex Inlet Property & Equip	11	992,296	1,023,655
		<hr/>	<hr/>
<u>TOTAL NON-CURRENT ASSETS</u>		11,505,339	12,684,529
		<hr/>	<hr/>
<u>TOTAL ASSETS</u>		19,612,453	18,622,347
		<hr/>	<hr/>
<u>CURRENT LIABILITIES</u>			
Accounts Payable	12	588,260	396,822
Provisions	13	1,031,488	891,962
		<hr/>	<hr/>
<u>TOTAL CURRENT LIABILITIES</u>		1,619,748	1,288,785
		<hr/>	<hr/>
<u>TOTAL LIABILITIES</u>		1,619,748	1,288,785
		<hr/>	<hr/>
<u>NET ASSETS</u>		17,992,705	17,333,562
		<hr/>	<hr/>
<u>ACCUMULATED FUNDS</u>			
Reserves	14	3,378,550	3,378,550
Accumulated Surplus	15	14,614,155	13,955,012
		<hr/>	<hr/>
<u>ACCUMULATED FUNDS</u>		17,992,705	17,333,562
		<hr/>	<hr/>

The accompanying notes form part of these financial statements

AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES BRANCH
AND

THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES

STATEMENT OF CASH FLOWS
For the Year Ended 31st December 2012

	This Year Inflows (Outflows)	Last Year Inflows (Outflows)
CASH FLOW FROM OPERATING ACTIVITIES		
Receipts from members	7,414,277	6,987,100
Payments to suppliers and employees	(7,075,112)	(7,153,798)
Interest received	382,952	283,535
Rent received	414,855	262,510
Receipts - other	71,973	98,600
	1,208,945	477,947
Net cash provided by (used in) operating activities (Note 2)		
 CASH FLOW FROM INVESTING ACTIVITIES		
Payment for assets	(177,255)	(221,061)
	(177,255)	(221,061)
Net cash provided by (used in) investing activities		
 Net increase (decrease) in cash held	 1,031,690	 256,886
Cash at beginning of year	6,651,112	6,394,226
	7,682,802	6,651,112
Cash at end of year (Note 1)		

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	7,682,802	6,651,112
	7,682,802	6,651,112

The accompanying notes form part of these financial statements

AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES BRANCH
AND
THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES

STATEMENT OF CASH FLOWS
For the Year Ended 31st December 2012

	This Year Inflows (Outflows)	Last Year Inflows (Outflows)
Note 2: Reconciliation of Cash Flow from Operations with profit from ordinary activities		
Profit from ordinary activities	659,143	(17,213)
Depreciation	335,249	325,035
Sale assets	26,182	6,401
Change in assets and liabilities		
(Increase)/Decrease in receivables	(91,296)	82,855
(Increase)/Decrease in prepaid expenses	(51,297)	(15,249)
Increase/(Decrease) in creditors	191,438	(887)
Increase/(Decrease) in provision for employee benefits	139,526	97,005
Cash flows from operations	<u>1,208,945</u>	<u>477,947</u>

The accompanying notes form part of these financial statements

**AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES BRANCH
AND
THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES**

**NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended 31st December 2012**

NOTE 1. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

The financial report is a general purpose financial report that has been prepared in accordance with applicable Accounting Standards, including Australian Equivalents to International Financial Reporting Standards (AIFRS), other mandatory professional reporting requirements, the Fair Work (Registered Organisations) Act 2009 and the Industrial Relations Act, 1996.

The financial report is prepared on an accruals basis and is based on historic costs and does not take into account changing money values or, except where specifically stated, current valuations of non-current assets.

The following specific accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of this report:

(a) Property, Plant & Equipment.

Each class of property, plant and equipment is carried at cost or at fair value less, where applicable any accumulated depreciation.

Plant and equipment

Plant and equipment are included at cost. The carrying amount is reviewed annually by the Committee of Management to ensure it is not in excess of recoverable amount.

Property for own use

Freehold land and buildings are measured on the fair value basis, being the amount for which an asset could be exchanged between knowledgeable willing parties in an arms length transaction. It is the policy of the entity to have periodic independent valuations, with annual appraisals being made by the committee. The last independent valuations were carried out between 13 October 2009 and 19 November 2009.

Investment property

Property held to earn rental income is separately disclosed from property held for own use.

Investment properties are measured on the fair value basis.

As with property held for own use, it is the policy of the entity to have periodic independent valuations, with annual appraisals being made by directors.

The change in fair value of investment properties are recorded in the income statement. No depreciation is provided where the fair value basis is used.

**AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES BRANCH
AND
THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES**

**NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended 31st December 2012**

(b) Income Tax

No provision for income tax is necessary, as "Trade Unions" are exempt from income tax under Section 50 -15 of the Income Tax Assessment Act 1997.

(c) Employee Entitlements

Provision for employee entitlements in the form of Long Service Leave and Accrued Annual Leave has been made for the estimated accrued entitlement of all employees on the basis of their terms of employment. In the case of Long Service Leave, the accrual has been measured by reference to periods of service and current salary rates as it is considered that this results in an amount not materially different to that achieved by discounting estimated future cash flows.

(d) Defined Superannuation Schemes

In respect to defined benefit plans, the cost of providing the benefits is determined using the projected unit cost method. Actuarial calculations are conducted by State Super. The amount recognised in the Statement of Financial Position represents the present value of the defined benefits obligations adjusted for any unrecognised actuarial gains and losses and unrecognised past service costs less the fair value of the plan's assets. The unions has defined benefit obligations for members participating in the State Authorities Superannuation Scheme and the State Authorities Non- Contributory Superannuation Scheme. All Schemes are closed to new members.

(e) Contributions

Only contributions received are brought to account. Contribution received subsequent to year end, but relating to prior to year end are brought to account as receivables.

	2012	2011
	\$	\$
Note 2: OPERATING SURPLUS		
Operating Surplus (deficiency)	659,143	(17,213)
	<hr/>	<hr/>
Operating Surplus (deficiency) for the year comprises		
General Fund	468,082	(130,115)
Sussex Inlet Park	(44,375)	(60,130)
Bus & Tram Picnic Fund	120,504	22,868
Bus & Tram Traffic Fund	114,932	150,164
	<hr/>	<hr/>
	659,143	(17,213)
	<hr/>	<hr/>

**AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES BRANCH
AND
THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES**

**NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended 31st December 2012**

	2012	2011
	\$	\$
Note 3: CASH AND CASH EQUIVALENTS		
Cash on Hand	5,393	5,393
Cash at bank and on deposit	7,677,409	5,650,706
	<u>7,682,802</u>	<u>5,656,099</u>
 Note 4: RECEIVABLES		
Trade Debtors	248,158	150,227
Receivables	7,025	13,659
	<u>255,183</u>	<u>163,887</u>
 Note 5: OTHER CURRENT ASSETS		
Prepayments	169,129	117,832
	<u>169,129</u>	<u>117,832</u>
 Note 6: FINANCIAL ASSETS		
Listed Shares	1,216	1,216
Cash at bank and on deposit	-	995,013
Share Encompass	20	20
	<u>1,236</u>	<u>996,249</u>
 Note 7: PROPERTY		
Sydney-L4/Pitt St-independent valuation	3,275,000	3,275,000
Sydney-L4/Pitt St improvement - cost	432,047	432,047
Redfern - independent valuation	2,543,333	2,543,333
Redfern - improvements at cost	270,568	213,976
Wollongong	285,000	285,000
Hamilton	300,000	300,000
Deduct Prov'n for Depreciation	(518,262)	(353,570)
	<u>6,587,686</u>	<u>6,695,787</u>
 Note 8: INVESTMENT PROPERTY		
Sydney-L3/Pitt St - at committee's val	3,560,429	3,560,429
	<u>3,560,429</u>	<u>3,560,429</u>

**AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES BRANCH
AND
THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES**

**NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended 31st December 2012**

	2012	2011	
	\$	\$	
Note 9: PLANT & EQUIPMENT			
Pitt St-Office Equip etc	656,351	654,696	
Pitt St Computer Hardware	352,673	325,601	
Pitt St – Computer Software	42,413	42,413	
Bus & Tram Division-Office equipment	314,132	309,788	
Bus & Tram Division-Computer	51,546	40,195	
Newcastle-Air Conditioner	1,540	1,540	
Deduct Prov'n for Depreciation	(1,195,154)	(1,126,240)	
	223,501	247,993	
Note 10: MOTOR VEHICLES			
Motor Vehicles	382,041	408,954	
Deduct Prov'n for Depreciation	(241,850)	(248,537)	
	140,191	160,417	
Note 11: SUSSEX INLET PROPERTY & EQUIP			
Leasehold Property(at valuation)	937,500	937,500	
Furniture	196,744	183,606	
Plant & Equipment	50,000	50,000	
Motor Vehicle	21,168	21,168	
Deduct Prov'n for Depreciation	(213,116)	(168,619)	
	992,296	1,023,655	
Note 12: ACCOUNTS PAYABLE			
Accounts Payable	449,268	344,733	
Other payable	138,992	52,089	
	588,260	396,822	
Note 13: PROVISIONS			
Provision for Annual Leave	346,276	351,576	
Provision for Long Service Leave	306,911	377,683	
Provision Retirement Benefits	378,301	162,703	
	1,031,488	891,962	
Movements during the year -			
	Annual	Long	Retirement
	leave	Service	benefits
	\$	\$	\$
Balance beginning year	351,576	377,383	162,703
Increase(Decrease) in provision	(5,300)	(70,472)	215,598
	346,276	306,911	378,301

**AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES BRANCH
AND
THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES**

**NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended 31st December 2012**

	2012	2011
	\$	\$
Note 14: RESERVES		
Asset Revaluation Reserve	3,378,550	3,378,550
	<u>3,378,550</u>	<u>3,378,550</u>

Note 15: ACCUMULATED FUNDS		
Unappropriated Profit B-Fwd	14,614,155	13,955,012
	<u>14,614,155</u>	<u>13,955,012</u>

Note 16: RETIREMENT BENEFITS OBLIGATIONS

The economic entity participated in an employer sponsored defined benefits plan during the year. The benefit provided by the plan is based on the length of service of the member at retirement. Employees contribute various percentages of their gross income and the union may contribute up to 4.5 times the employees final average salary at retirement depending on the length of membership and the employees own contributions.

Reconciliation of the present value of the defined benefit obligation -

	2012	2011
	\$	\$
Present value at the beginning of year	2,383,995	1,987,551
Current service cost	17,877	15,240
Interest cost	84,586	106,619
Contributions by funds participants	9,973	9,257
Actuarial gains	796,778	212,618
Benefits paid	35,227	(72,627)
	<u>3,328,436</u>	<u>2,258,658</u>
Present value at the end of the year	3,328,436	2,258,658
	<u>3,328,436</u>	<u>2,258,658</u>
Fair value at the beginning of the year	2,211,214	1,945,228
Expected return on fund assets	182,980	161,527
Actuarial gains(loss)	275,184	(161,529)
Employer contributions	235,472	214,088
Contribution by funds participant	9,973	9,257
Benefits (paid)transferred in	35,312	(72,616)
	<u>2,950,135</u>	<u>2,095,955</u>
Fair value at the end of the year	2,950,135	2,095,955
	<u>2,950,135</u>	<u>2,095,955</u>

Reconciliation of assets and liabilities recognised in the Statement of Financial Position -

Present value of funded defined benefit obligations	3,328,436	2,258,658
Fair value of fund assets at end of year	(2,950,135)	(2,095,955)
	<u>378,301</u>	<u>162,703</u>
Net Liability recognised in the Statement of Financial Position	378,301	162,703
	<u>378,301</u>	<u>162,703</u>

**AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES BRANCH
AND
THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES**

**NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended 31st December 2012**

The percentage of the Funds assets invested in each asset class at 31 December

	2012	2011
	%	%
Australian equities	31.0	32.1
Overseas equities	24.3	29.0
Australian fixed interest	6.2	5.6
Overseas fixed interest	2.4	2.6
Property	8.7	9.5
Cash	13.4	6.6
Other	14.0	14.6

All fund assets are invested by STC at arm's length through independent fund managers.

Note 18: FINANCIAL INSTRUMENTS

Interest Rate Risk

The Branch's exposure to interest rate risk and the effective average interest rate for each class of financial assets and financial liabilities are set out below.

	Floating interest rate	Fixed 1 year	Fixed Over 1-5	Non Interest	Total
	\$	\$	\$	\$	\$
31 December 2011					
Cash	1,035,533	4,615,173	-	5,393	5,656,099
Financial Assets	-	-	995,013	1,236	996,249
	<u>1,035,533</u>	<u>4,615,173</u>	<u>995,013</u>	<u>6,629</u>	<u>6,652,348</u>
31 December 2012					
Cash	1,624,900	6,057,902	-	-	7,682,802
Financial Assets	-	-	-	1,236	1,236
	<u>1,624,900</u>	<u>6,057,902</u>	<u>-</u>	<u>1,236</u>	<u>7,684,038</u>

Weighted average interest rate 5%

Credit Risk Exposure

Credit risk is the risk that counter parties to a financial asset will fail to discharge their obligations, causing the Branch to incur a financial loss.

The credit risk exposure of the Branch to financial assets which have been recognised in the Statement of Financial Position is generally the carrying amounts.

The carrying amounts of cash and investments approximate net fair values.

**AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES BRANCH
AND
THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NEW SOUTH WALES**

**NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended 31st December 2012**

Note 17: PROVIDING INFORMATION

In accordance with the requirements of the Workplace Relations Act, 1996, the attention of members is drawn to the provisions of Section 272 of Schedule 1B which reads as follows-

- (1) A member of an organisation, 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, 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 (1) above.

In accordance with the requirements of the Industrial Relations Act, 1991 the attention of members is drawn to the provisions of Section 512 which reads as follows-

- (1) A member of an organisation, or the Industrial Registrar, may apply to the organisation for specified information prescribed by the regulations in relation to the organisation.
- (2) An organisation must, on the making of such an application, make the specified information available to the member or the Industrial Registrar in the manner, and within the time prescribed by the regulations.

Note 18: REGISTERED OFFICE

The registered office and principle place of business of the Branch is :

Level 4/321 Pitt St
Sydney
NSW 2000

[Home](#)

[About Us](#)

[News](#)

[Campaigns](#)

[>> Publications](#)

[Recent editions](#)

[Past editions](#)


[Rail & Road Journal](#)

[Health & Safety](#)

[RTBU Resources](#)

[Agreements](#)

[Home](#) > [Publications](#) > [NSW Branch Operating Report](#)

 [Printer friendly version](#)

NSW Branch Operating Report

Audited Report of NSW Branch Operations and Finances, 2012

To view or download a copy of the NSW Operating Report click on the link

Downloadable Content

[Operating and Concise Report 2012 \(pdf\)](#)

[What does RTBU offer members?](#)

[How much will I pay?](#)

[RTBU forms & brochures](#)

[Contact The RTBU NSW Branch](#)

Subscribe to RTBU news

Get the latest news by email:

» [Subscribe](#)

Get news via an RSS feed:







NSW Branch Rail Tram and Bus Union

NSW Branch Operating Report for 2012

CONTENTS

CONTENTS 2

SCOPE OF OPERATING REPORT 3

THE PRINCIPAL ACTIVITIES & RESULTS OF THE ACTIVITIES OF THE BRANCH..... 3

ANY SIGNIFICANT CHANGES IN ACTIVITIES..... 5

DETAILS OF ANY SIGNIFICANT CHANGES IN FINANCIAL AFFAIRS 5

DETAILS OF THE RIGHTS OF MEMBERS TO RESIGN..... 6

DETAILS OF OFFICERS WHO HOLD POSITIONS AS TRUSTEES OR COMPANY DIRECTORS 6

PRESCRIBED INFORMATION 6

MEMBERS OF THE COMMITTEE OF MANAGEMENT 7

2012 ELECTIONS 8

ATTACHMENT A: CONCISE FINANCIAL REPORT 9

SCOPE OF THE REPORT

This Operating Report covers the;

1. Activities of the Australian Rail, Tram and Bus Industry Union NSW Branch (RTBU NSW), and results of those activities for the calendar year 1 January 2012 to 31 December 2012;
2. Significant changes in the nature of the activities as required under Fair Work (Registered Organisations) Act 2009.
3. Details of any significant changes in financial affairs.
4. Details of the rights of members to resign
5. Details of officers who hold positions as superannuation trustees or company directors.
6. Prescribed information - number of members and number of employees
7. Members of the committee of management
8. 2012 Union Elections

THE PRINCIPAL ACTIVITIES AND RESULTS OF THE ACTIVITIES OF THE BRANCH

The RTBU NSW is a member based, state & federally registered trade union representing members whose usual place of work is located within the State of New South Wales (NSW) and the Australian Capital Territory (ACT) together with members employed rail, tram (light rail) and government owned and operated bus industries.

The reporting unit's activities are directed by the NSW Branch Executive and NSW Branch Council in accordance with our objectives and rules of registration.

The principal activities and the results of these activities fell into the following categories:

ACTIVITIES	2012 RESULTS
1. Making agreements with employers.	<ul style="list-style-type: none"> • 52 Federally registered Agreements • 2 NSW State Awards (State Transit) • 1 NSW State Award (Transport for NSW)
2. Implementation of Branch Council's agenda,	<ul style="list-style-type: none"> • The RTBU NSW Branch Plan provides a framework for major Branch activities, and include: <ul style="list-style-type: none"> - Organising - Servicing - Communications - Education and Training - Community - Campaigning - Political - Financial • Conducted a series of Branch Planning workshops with officers & delegates to develop priorities and objectives for Branch activities

3. Representing members in tribunals and related institutions and provided assistance and strategic advice to individual members in relation to workplace issues.	<ul style="list-style-type: none"> • 31 appeals before NSW Transport Appeals Board (TAB) • Range of individual member advice through union office, and workplace representation • See 10 below for more details
4. Electing representatives to peak trade union bodies in NSW.	<ul style="list-style-type: none"> • UnionsNSW - 7 delegates and alternate delegates. • South Coast Labor Council - 2 nominated delegates
5. Attending meetings called by peak union bodies in NSW.	<ul style="list-style-type: none"> • Attended approximately 41 UnionsNSW General meetings. • 41 UnionsNSW Executive meetings • 6 UnionsNSW OHS & WC meetings • 6 South Coast Labour Council meetings
6. Making submissions on behalf of the branch to inquiries and proceedings affecting the industry.	<ul style="list-style-type: none"> • 6 submissions were made in 2012
7. Training delegates & representatives.	<ul style="list-style-type: none"> • 19 delegates training courses were conducted • 176 workplace delegates were trained. • 21 Work Health and Safety courses were conducted in metropolitan and regional areas (as part of a WorkCover Assist program), with 215 RTBU members participating in the training
8. Produced and distributed circulars, bulletins, newsletters and materials as authorised by the union.	<ul style="list-style-type: none"> • Produced and distributed: <ul style="list-style-type: none"> - 4 issues of the official union journal <i>Rail & Road</i>; - 10 issues of RTBU Express – Branch electronic newsletter - 63 Branch membership bulletins - 31 RTBU Transport Watchdog Bulletins - Rail Operations Division <ul style="list-style-type: none"> o Guards - 5 Blue Light newsletters o Signallers News – 3 newsletters o Transit News – 4 newsletters - Locomotive Division: <ul style="list-style-type: none"> o 36 Loco Express Electronic newsletter o 16 Footplates o 39 circulars - Tram and Bus <ul style="list-style-type: none"> o 22 Bus Express electronic newsletter
9. General Member Services	<ul style="list-style-type: none"> • Range of member services provided: <ul style="list-style-type: none"> o RTBU Holiday Park o Access to other holiday facilities, through partner organisations o Financial Services through partner organisations o Taxation and accounting services through partner organisations o Member resources (eg: WHS resource kit developed)

	<ul style="list-style-type: none"> o Health fund services through partner organisation o Membership information kits o RTBU website
10. Legal Services	<ul style="list-style-type: none"> • A range of legal referral services available to members through partner legal organizations • RTBU established internal industrial/legal resources to assist members with direct representation on a range of workplace issues, such as appeals, dismissal, disciplinary hearings (as per item 3. above) • Legal fund established through membership levy to provide Industrial/legal services.
11. Policy Development	<ul style="list-style-type: none"> • A number of policy changes were implemented during the reporting period to improve the effectiveness and accountability across the Branch
12. Rule Changes	<p>The September Branch Council discussed the proposed Rule Changes outlined below;</p> <ul style="list-style-type: none"> • Rule 47(3) – Branch Offices: Eligibility and Term of Office • Rule 100(4) & (6) - Composition and Ordinary Meetings of the Branch Divisional Committees • Rule 101(2) & (3) - Branch Offices • New Rule – NSW Branch Specific – Workplace Delegates <p>These rules were endorsed by way of a teleconference on 8th of October 2012, the National Office has been advised and they will now be passed onto the National Council for their endorsement.</p>

ANY SIGNIFICANT CHANGES IN ACTIVITIES

The principle activities of the Branch during the year were that of a registered trade union and no significant change occurred in the nature of those activities.

DETAILS OF ANY SIGNIFICANT CHANGES IN FINANCIAL AFFAIRS

The RTBU NSW financial affairs are summarised below; *(for more information see attachment A: Financial Report)*

- Total assets and accumulated funds remained relatively stable for the operating year to 31 December 2012; with following variations
- a increase in current assets of \$2,169,296 for the operating year to 31 December 2012;
- a decrease in non-current assets of \$1,179,190 for the operating year to 31 December 2012
- an increase in total income of \$846,240 for the operating year to 31 December 2012;
- an increase in total expenses of \$169,886 for the operating year to 31 December 2012.

OTHER RELEVANT INFORMATION

- The RTBU NSW also managed the RTBU Holiday Park at Jervis Bay on behalf of the union and its members.

DETAILS OF THE RIGHTS OF MEMBERS TO RESIGN

All members of the RTBU NSW have the right to resign from the union in accordance with **Rule 14, Resignation from Membership**, of the Rules of RTBU NSW.

DETAILS OF OFFICERS WHO HOLD POSITIONS AS TRUSTEES OR COMPANY DIRECTORS

The following office holders hold positions as trustees or company directors, by virtue of their office of the RTBU NSW is:

Alex Claassens	<ul style="list-style-type: none"> • Employee Representative appointed to the Board of the State Trustee Corporation • Membership Elected Director of the Encompass Credit Union
----------------	--

PRESCRIBED INFORMATION**Number Of Members**

As at the 31 December 2012 there were 16,485 members of the RTBU NSW across the following Divisions of the union:

DIVISION	FINANCIAL MEMBERS	UNFINANCIAL MEMBERS	TOTAL
Rail Operations	3611	127	3738
Infrastructure	1562	75	1637
Workshops	1060	43	1103
Admin / Professional	2242	75	2317
Locomotive	3566	52	3618
Bus and Tram	3880	192	4072
TOTAL	15,921	564	16,485

Numbers of Employees

As at the 31 December 2012 the RTBU NSW Branch employed 26 full-time employees, 1 full-time contractor, and 6 Part-time employee.

POSITION	No. OF EMPLOYEES	
	(Full Time)	(Part Time)
Elected Paid Officials	6	0
Employed industrial staff	14	3
Administrative Support	6	3
Contract / Project staff	1	

MEMBERSHIP OF THE COMMITTEE OF MANAGEMENT

The members of the Committee of Management during the year ending 31 December 2012 were:

BRANCH EXECUTIVE	
Branch President (Honorary)	Anthony Clear
Senior Branch Vice-President (Honorary)	Doug Klineberg
Junior Branch Vice-President (Honorary)	Carissa James
Branch Secretary	Alex Claassens
Assistant Branch Secretary (Honorary)	David Woollams
Branch Organiser	Mick Cartwright
Branch Organiser	Doug Klineberg
Locomotive Divisional President	Brett Rosser
Locomotive Divisional Secretary	Robert Hayden
Tram & Bus Divisional President	Gary Way
Tram & Bus Divisional Secretary	Chris Preston
Infrastructure Divisional President	James Buckley
Infrastructure Divisional Secretary	Ray West
Administrative, Supervisory Technical and Professional Divisional President	Mark Thompson
Administrative, Supervisory Technical and Professional Divisional Secretary	Bob Barker
Fleet Manufacture, Overhaul, Maintenance and Service Divisional President	Ida Skye Morrison
Fleet Manufacture, Overhaul, Maintenance and Service Divisional Secretary	Mick Bartlett
Rail Operations Divisional President	Michael Sullivan
Rail Operations Divisional Secretary	Joanne McCallum

THE REGISTERED OFFICE OF THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, NSW BRANCH IS:

LEVEL 4, 321 PITT STREET
SYDNEY NSW 2000

2012/13 ELECTIONS

At the time of reporting, the Australian Electoral Commission (AEC) was conducting elections for a range of Branch and National RTBU offices. Postal ballots for these elections closed on 18 March 2013, and results of these will form the basis of the Office holder information provided in the next Operating Report.



NSW Branch Secretary

Date: 31 March 2013

ANNUAL FINANCIAL AND CONCISE FINANCIAL REPORT

FOR THE YEAR ENDED 31ST DECEMBER, 2012

The Committee of Management of the Australian Rail, Tram and Bus Industry Union, New South Wales Branch (Federal Organisation), and The Australian Rail, Tram and Bus Industry Union, New South Wales (State Organisation) has resolved to provide a concise financial report to members for the financial year ended 31 December 2012.

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:

FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009.

Section 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).

SECTION 517 OF THE INDUSTRIAL RELATIONS ACT 1996

In accordance with Section 517 of the Industrial Relations Act a copy of the Auditor's Report, Accounts and Statements will be supplied free of charge to members who request same.

Certificates required to be given under the Act's by the Accounting Officer and Committee of Management have been completed in accordance with the provisions of the Act's and contain no qualifications.

**Australian Rail, Tram and Bus Industry Union, New South Wales Branch
and
The Australian Rail, Tram and Bus Industry Union, New South Wales
INCOME STATEMENT
For the year ended 31st December, 2012**

	2012	2011
REVENUE FROM ORDINARY ACTIVITIES:	\$	\$
MEMBER CONTRIBUTIONS	7,505,573	6,904,249
Interest Received	382,952	283,535
RENT	414,855	262,510
PROFIT ON SALE INVESTMENTS	26,182	6,401
OTHER INCOME	71,973	98,600
EXPENSE FROM ORDINARY ACTIVITIES		
REMUNERATION – OFFICE HOLDERS	565,500	560,316
REMUNERATION – EMPLOYEE/DELEGATES	2,334,479	2,067,543
SUPERANNUATION	755,724	495,459
SUSTENTATION NATIONAL OFFICE	885,135	861,814
DEPRECIATION	335,249	325,035
DONATIONS FEES AND SUBSCRIPTIONS	10,818	46,174
FEES AND SUBSCRIPTIONS	167,049	141,963
LEGAL EXPENSES	176,788	103,420
OTHER EXPENSES	2,511,650	2,970,783
NET SURPLUS (DEFICIT) FROM ORDINARY ACTIVITIES	659,143	(17,213)
TOTAL CHANGE IN ACCUMULATED FUNDS	659,143	(17,213)

Australian Rail, Tram and Bus Industry Union, New South Wales Branch
and
The Australian Rail, Tram and Bus Industry Union, New South Wales
BALANCE SHEET
As at 31st December, 2012

	2012	2011
	\$	\$
CURRENT ASSETS		
CASH ASSETS	7,682,802	5,656,099
RECEIVABLES	255,183	163,887
OTHER	169,129	117,832
TOTAL CURRENT ASSETS	8,107,114	5,937,818
NON-CURRENT ASSETS		
FINANCIAL ASSETS	1,236	996,249
PROPERTY, OFFICE EQUIPMENT AND MOTOR VEHICLES-OWN USE	7,943,674	8,127,852
INVESTMENT PROPERTY	3,560,429	3,560,429
TOTAL NON-CURRENT ASSETS	11,505,339	12,684,529
TOTAL ASSETS	19,612,453	18,622,347
CURRENT LIABILITIES		
ACCOUNTS PAYABLES	449,268	344,733
OTHER PAYABLES	138,992	52,089
TOTAL CURRENT LIABILITIES	588,260	396,822
NON-CURRENT LIABILITIES		
PROVISIONS	1,031,488	891,962
TOTAL NON-CURRENT LIABILITIES	1,031,488	891,962
TOTAL LIABILITIES	1,619,748	1,288,784
NET ASSETS	17,992,705	17,333,562
ACCUMULATED FUNDS		
RESERVES	3,378,550	3,378,550
ACCUMULATED FUNDS	14,614,155	13,955,012
TOTAL ACCUMULATED FUNDS	17,992,705	17,333,562

**Australian Rail, Tram and Bus Industry Union, New South Wales Branch
and
The Australian Rail, Tram and Bus Industry Union, New South Wales
STATEMENT OF CASH FLOWS
For the year ended 31st December, 2012**

	2012	2011
CASH FLOW FROM OPERATING ACTIVITIES	\$	\$
Receipts from Members	7,414,277	6,987,100
Interest Received	382,952	283,535
Rent Received	414,855	262,510
Other	71,973	98,600
Payments to Suppliers and employees	(7,075,112)	(7,153,798)
NET CASH PROVIDED BY OPERATING ACTIVITIES	1,2089,845	477,947
CASH FLOW FROM INVESTING ACTIVITIES		
Payment for Property, Plant and Equipment	(177,255)	(221,061)
NET CASH USED IN INVESTING ACTIVITIES	(177,255)	(221,061)
NET CASH INCREASE(DECREASE)	1,031,690	256,886
CASH AT THE BEGINNING OF THE YEAR	6,651,112	6,394,226
CASH AT THE END OF THE YEAR	7,682,802	6,651,112

COMMITTEE REPORT ON FINANCIAL STATEMENTS

On the 21stth of March, 2013 the Committee of Management of the Australian, Rail Tram and Bus Industry Union, New South Wales Branch passed the following resolution in relation to the general purpose financial report (GPFR) of the reporting unit for the financial year ended 31st December, 2012:

- (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 General Manager of the Fair Work Commission;
- (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 RO Act; 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) information has been furnished to any member of the reporting unit or to the General Manager of the Fair Work Commission, as the case may be, where information sought by the member or the General Manager of the Fair Work Commission was duly made under section 272 of the RO Act; and
 - (vi) no order for inspection of financial records have been made by the Fair Work Commission under section 273 of the RO Act.
- (f) The Branch 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 in accordance with such resolution as passed by the committee of management.



ALEX CLAASSENS
NSW BRANCH SECRETARY

Signed at Sydney on the 21st March 2013

INDEPENDENT AUDITORS' STATEMENT

To the members of the Australian Rail, Tram and Bus Industry Union, New South Wales Branch(Federal Organisation), and The Australian Rail, Tram and Bus Industry Union, New South Wales (State Organisation).

SCOPE

We have audited the concise financial report of the Australian Rail, Tram and Bus Industry Union, New South Wales Branch and of The Australian Rail, Tram and Bus Industry Union, New South Wales for the financial year ended 31 December, 2012 comprising the Committee of Management Statement, Certificate by Accounting Officer (State organization only), 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 Fair Work(Registered Organisations) Act 2009 and the Industrial Relations Act 1996

AUDIT OPINIONS**A) Fair Work (Registered Organisations) Act 2009**

In our opinion, the Concise Financial Report of the Australian Rail, Tram and Bus Industry Union, New South Wales Branch for the year ended 31st December, 2012 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 and Bus Industry Union, New South Wales Branch 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.

B) Industrial Relations Act 1996

I certify that the Concise Financial Report is a fair and accurate summary of my Report, Accounts and Statements of The Australian Rail, Tram and Bus Industry Union, New South Wales for the year ended 31st December, 2012. My Auditors Report did not contain particulars of any deficiency, failure or shortcomings as referred to in the Industrial Relations Act

Ken Mangraviti

Ken Mangraviti Pty Ltd
Chartered Accountants
Registered Company Auditor

Dated: 21 March, 2013



FAIR WORK
COMMISSION

18 January 2013

Mr Nick Lewocki
Branch Secretary
Australian Rail, Tram and Bus Industry Union-New South Wales Branch
Sent by fax: (02) 9261 1342

Dear Mr Lewocki,

Re: Lodgement of Financial Report - [FR2012/615]
Fair Work (Registered Organisations) Act 2009 (the RO Act)

The financial year of the Australian Rail, Tram and Bus Industry Union-New South Wales Branch (the reporting unit) ended on 31 December 2012.

This is a courtesy letter to remind you of the obligation to prepare and lodge the financial report for the reporting unit by the due date, namely 15 July 2013 (that is the period within 6 months and 14 days of the end of the financial year) under s.268 of the RO Act.

The RO Act sets out a particular chronological order in which financial documents and statements must be prepared, audited, provided to members and presented to a meeting. For your assistance, the attached *Timeline/Planner* summarises these requirements.

Fact sheets regarding financial reporting under the RO Act are provided on the Fair Work Commission website at: [Financial Reporting Fact Sheets](#).

The documents can be emailed to orgs@fwc.gov.au. If it is envisaged that the financial report cannot be lodged by the due date you are requested to contact this office prior to the due date to discuss the issue.

It should be noted that s.268 is a civil penalty provision. Failure to lodge a financial report may result in legal proceedings being issued with the possibility of a pecuniary penalty (up to \$33,000 for a body corporate and \$6,600 for an individual per contravention) being imposed upon an officer whose conduct led to the contravention and/or your organisation.

Should you seek any clarification in relation to the above, please contact me on (03) 8661 7936 or via email at robert.pfeiffer@fwc.gov.au.

Yours sincerely,

Robert Pfeiffer
Senior Adviser
Regulatory Compliance Branch

TIMELINE/ PLANNER

Financial reporting period ending:	/ /	
Prepare financial statements and Operating Report.		
(a) A Committee of Management Meeting must consider the financial statements, and if satisfied, pass a resolution declaring the various matters required to be included in the Committee of Management Statement.	/ /	As soon as practicable after end of financial year
(b) A # designated officer must sign the Statement which must then be forwarded to the auditor for consideration as part of the General Purpose Financial Report (GPFR).	/ /	
Auditor's Report prepared and signed and given to the Reporting Unit - s257	/ /	Within a reasonable time of having received the GPFR (NB: Auditor's report must be dated on or after date of Committee of Management Statement)
Provide full report free of charge to members – s265 The full report includes: <ul style="list-style-type: none"> the General Purpose Financial Report (which includes the Committee of Management Statement); the Auditor's Report; and the Operating Report. 	/ /	(a) if the report is to be presented to a General Meeting (which must be held within 6 months after the end of the financial year), the report must be provided to members 21 days before the General Meeting, or (b) in any other case including where the report is presented to a Committee of Management meeting*, the report must be provided to members within 5 months of end of financial year.
Present full report to:		
(a) General Meeting of Members - s266 (1),(2); OR	/ /	Within 6 months of end of financial year
(b) where the rules of organisation or branch allow* - a Committee of Management meeting - s266 (3)	/ /	Within 6 months of end of financial year
Lodge full report with the Fair Work Commission, together with the #Designated Officer's certificate++ – s268	/ /	Within 14 days of meeting

* the full report may only be presented to a committee of management meeting if the rules of the reporting unit provide that a percentage of members (not exceeding 5%) are able to call a general meeting to consider the full report.

The Committee of Management Statement and the Designated Officer's certificate must be signed by the Secretary or another officer who is an elected official and who is authorised under the rules (or by resolution of the organisation) to sign the statement or certificate – s243.

++ The Designated Officer's certificate must state that the documents lodged are copies of the documents provided to members and presented to a meeting in accordance with s266 – dates of such events must be included in the certificate. The certificate cannot be signed by a non-elected official.