



**Australian Government**  
**Australian Industrial Registry**

Level 5  
11 Exhibition Street, Melbourne, VIC 3000  
GPO Box 1994, Melbourne, VIC 3001  
Telephone: (03) 8661 7993  
Fax: (03) 9655 0410

Mr P. Lovel  
Secretary/Treasurer  
Australian Road Transport Industrial Organization  
Victorian Branch  
PO Box 5  
SOUTH MELBOURNE VIC 3205

Dear Mr. Lovel

**Re: Schedule 1 of the Workplace Relations Act 1996 (Schedule 1)  
Financial reports for year ended 30 June 2007 and 30 June 2008 –  
FR 2007/308 and FR 2008/388**

Reference is made to the financial reports of the Victorian Branch of the Australian Road Transport Industrial Organization for the years ended 30 June 2007 and 30 June 2008. The documents were lodged in the Industrial Registry on 22 August 2008.

Examination of the financial report for the year ended 30 June 2007 has shown that matters requiring attention have been repeated in relation to the Branch's financial report for the year ended 30 June 2008.

The financial reports for the years ended 30 June 2007 and 30 June 2008 have been filed.

Although the financial reports have been filed I direct your attention to the following comments concerning the financial reports for the financial years ended 30 June 2007 and 30 June 2008 and the financial reporting obligations under Schedule 1 of the Workplace Relations Act 1996. No further action is required in respect of the subject documents.

The Industrial Registrar attaches importance to reporting units both fully satisfying the obligations under Schedule 1 and to those obligations being discharged within the requisite timeframes. Your reporting unit should therefore ensure that future financial reports fully satisfy the above obligations. It should be noted that non-compliance of those obligations could attract civil penalty provisions – refer section 305 of Schedule 1.

#### **1. Timescale Requirements**

As you know the financial reports should be prepared, audited, supplied to members, presented to a meeting and lodged in the Industrial Registry within certain timescale requirements. My examination of the documentation lodged indicates:

1. the Committee of Management Statement is dated 13 October 2008
2. the Auditor's Report is dated 7 August 2008
3. the Operating Report is dated 13 October 2008
4. the documents were circulated to members on 22 August 2008
5. the documents were presented to a general meeting of members on 1 October 2008

I note that the Operating Report and Committee of Management Statement are dated after the date of the Auditor's Report. As the Auditor must take the Operating Report and Committee of

Management Statement into account in the preparation of their report such documents should be prepared before the Auditor has made their report.

I also note that the Operating Report and Committee of Management Statement are dated after the financial report was supplied to members. Financial documents supplied to members should be dated and signed.

It should be noted that the full report, accompanied by a Designated Officer's Certificate, must be lodged with the Registry within 14 days of its presentation to an appropriate meeting.

## **2. Special Purpose Financial Report**

A reporting unit is required by section 253(2) of Schedule 1 to prepare a general purpose financial report from its financial records. While in some cases, the contents of a special purpose financial report and a general purpose financial report might not be substantially different, the requirement to prepare a general purpose financial report is quite clear.

The committee of management statement and the notes to the financial accounts must indicate that a general purpose financial report was prepared by the reporting unit. I note that the second paragraph of Note 1 to the notes of the accounts states:

"The financial statements are not purported to be general purpose financial reports and have been prepared exclusively for the use of the Organisation and its Committee of Management, The applicable Accounting Standards adopted are detailed in the notes to and forming part of the accounts."

Although the first paragraph of the Committee of Management Statement states that the Committee of Management passed a "resolution to the general purpose financial report" the statement contained in the notes to the accounts indicates that a special purpose financial report has been prepared.

Future financial reports must produce a general purpose financial report in accordance with the financial reporting requirements required by Schedule 1.

## **3. Auditor's Report**

### **(a) Auditor's Opinion**

Section 257(5) of Schedule 1 requires an auditor to express an opinion in relation to the financial report. Although I have accepted the auditor's report I suggest, for future financial reports, a more acceptable form of wording would be as follows:

"In our opinion the general purpose financial report presents fairly in accordance with applicable Australian Accounting Standards and other mandatory professional reporting requirements in Australia and the requirements of Schedule 1."

### **(b) Reference**

Paragraph (ii) of the Audit Opinion refers to Section 276(2) of the Workplace Relations Act 1996. Such reference should be to 257(2).

#### 4. **Committee of Management Statement**

##### **Consistency with other reporting units**

Paragraph 25 of the Industrial Registrar's Reporting Guidelines, as made under section 255 of Schedule 1 states:

"The committee of management statement must include declarations by the committee of management as to whether in the opinion of the committee of management:

.....

(e)(iv) where the organisation consists of 2 or more reporting units, 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;

There appears to be no information in the statement addressing Item 25(e)(iv) of the Industrial Registrar's Reporting Guidelines.

It should be noted that the Committee of Management Statement must address all the requirements stipulated in the Industrial Registrar's Guidelines.

Future Committee of Management Statements should include all required information.

#### 5. **Operating Report**

##### **Membership of Committee of Management**

The Operating Report is required to contain the name of each person who has been a member of the committee of management of the reporting unit at any time during the reporting period, and the period for which he or she held such a position - refer regulation 159(c) of the Workplace Relations (Registration and Accountability of Organisations) Regulations 2003 (the RAO Regulations).

The Operating Report should have provided the positions which members of the committee of management held during the reporting period.

#### 6. **Notice to members**

I note that the notice to members provides the provisions of section 274 of the Workplace Relations Act 1996. The accounts should set out the provisions of subsections 272(1), (2) and (3) of Schedule 1. Would you please ensure those subsections are copied into the GPFR in the next financial report.

I also note the references to "Industrial Relations Act 1988" and also "Subsections (1), (2) and (3) of Section 275". Such references should be to "Schedule 1 of the Workplace Relations Act" and "Subsections (1), (2) and (3) of Section 272".

#### **Electronic Lodgment**

I encourage you to take advantage of the electronic lodgment service provided by the Registry for future lodgments. You may register as a user and then lodge your documents via the Electronic Lodgment page of the AIRC website at [www.airc.gov.au](http://www.airc.gov.au). Alternatively, you may send an email with the documents attached to [riateam3@airc.gov.au](mailto:riateam3@airc.gov.au).

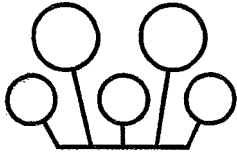
Should you wish to discuss this letter or if you require further information on the financial reporting requirements of the Act, I may be contacted on (03) 8661 7993 or by email at [larry.powell@airc.gov.au](mailto:larry.powell@airc.gov.au).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'L. Powell'.

Larry Powell  
Statutory Services Branch

30 October 2008



**ARTIO**

Australian Road Transport  
Industrial Organisation

The Industrial Registrar  
Australian Industrial Registry  
GPO Box 1994  
MELBOURNE VIC 3000

13 October 2008

Att: Larry Powell

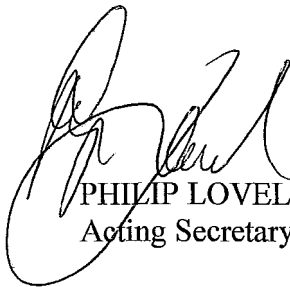
Dear Larry

**RE: ARTIO VIC Branch Financial statements for  
2006/2007**

Please find attached financial statements for ARTIO Vic Branch for the 2006/2007 year. These statements along with the supporting paperwork were presented to a general meeting of members called in accordance with the Constitution. The meeting was held on 1 October 2008

Please contact Paul Ryan on [REDACTED] if you require any further information

Yours Faithfully



PHILIP LOVEL  
Acting Secretary/Treasurer




- **ARTIO** PO Box 5 South Melbourne Victoria 3205 T 03 9646 8590 F 03 9646 8596 E reception@vta.com.au
- **ARTIO VIC** PO Box 5 South Melbourne Victoria 3205 T 03 9646 8590 F 03 9646 8596 E reception@vta.com.au
- **ARTIO TAS** GPO Box 1524 Hobart Tasmania 7001 T 03 6244 7436 F 03 6244 7910 E ed@tta.org.au
- **ARTIO WA** 37 Cohn Street Carlisle Western Australia 6101 T 08 9355 3022 F 08 9355 3122 E reception@transportforumwa.com.au
- **ARTIO QLD** PO Box 325 Stones Corner Queensland 4120 T 07 3394 4388 F 07 3397 9324 E admin@qta.com.au

**Certificate of Secretary or other Authorised Officer**  
s268 of Schedule 1B Workplace Relations Act 1996

I **Philip Lovel** being the *Secretary/Treasurer* of the Australian Road Transport Industrial Organization Victorian Branch certify:

- that the documents lodged herewith are copies of the full report referred to in s268 of the RAO Schedule; and
- that the full report was provided to members on **22 August 2008**; and
- that the full report was presented to *a general meeting of members* of the reporting unit on 1 October 2008 in accordance with section 266 of the RAO Schedule.



Signature

Date: 13 October 2008

*RAO regulation 162 prescribes the designated officer for the purpose of RAO schedule s268 as:*

- (a) the secretary; or
- (b) an officer of the organisation other than the secretary who is authorised by the organisation or by the rules of the organisation to sign the certificate mentioned in that paragraph.

### Committee of Management Statement

On 6 August 2008 the Committee of Management of the Australian Road Transport Industrial Organization, Victorian Branch passed the following resolution to the general purpose financial report (GPFR) of the reporting unit for the financial year ended 30 June 2007:

The Committee of Management declares in relation to the GPFR 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 Industrial Registrar;
- (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;
- (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 RAO Schedule and the RAO Regulations; and
  - (iv) no request of a member of the reporting unit or Registrar was made under section 272 of the RAO Schedule; and
  - (vi) there has been no order for inspection of financial records made by the Commission under s. 273 of the RAO Schedule

For Committee of Management: *Philip Lovel*

Title of Office held: Secretary/Treasurer

  
Signature:

Date: 13 October 2008

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION, VICTORIAN  
BRANCH**

**OPERATING REPORT FOR THE YEAR ENDED 30 JUNE 2007**

**Principal Activities**

The principal activities of the Association during the financial year were to promote, protect and advance the interests of its members through the maintenance of AIRC Awards, the development of EBA's and representation of members in various state and federal industrial courts and commissions.

**Results of Principal Activities**

The Association's principal activities resulted in maintaining and improving the position of its members within the Industrial Relations framework.

**Significant Changes in Nature of Principal Activities**

There were no significant changes in the nature of the Association's principal activities during the financial year.

**Significant Changes in Association's Financial Affairs**

No matters or circumstances arose during the reporting year which significantly affected the financial affairs of the Association.

**Trustee or Director of Trustee Company of Superannuation Entity or Exempt Public Sector Superannuation Scheme**

The following officers of the Branch held reserved positions in the following entities:

Philip Lovel is a Director of TWU Superannuation Nominees Pty Ltd, a trustee company that is the trustee of the TWU Superannuation Fund.

**Number of Members**

The number of persons who, at the end of the financial year, were recorded on the Register of Members was 208.

**Rights of Members to Resign**

Any member has the right to resign from Association in accordance with the provisions of Rule 11 of the organisations's rules.

**Number of Employees**

The number of persons who were, at the end of the financial year, employees of the Association was 0.25 measured on a full time equivalent basis.




**Members of Committee of Management**

The persons who held office as members of the Committee of Management of the Association at the beginning of the financial year were:

David Sinclair  
Tom O'Bryan  
Rod Lemish

Paul Freestone  
Philip Lovel

During the year, David Sinclair and Rod Lemish left and were replaced by Brian Hesketh and Angela Murphy.



Philip Lovel  
Secretary/Treasurer

Date: 13 October 2008

# Anderson & Associates

Certified Practising Accountants

## AUDITORS REPORT

### TO THE MEMBERS:

### AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION – VICTORIA BRANCH

#### Scope

We have audited the accompanying accounts being the Committee of Management Statement, Balance Sheet, Income Statement, Statement of Cash Flows and notes to and forming part of the accounts of Australian Road Transport Industrial Organisation - Victoria Branch for the year ended 30<sup>th</sup> June, 2007. The organisation's officers are responsible for the preparation and presentation of the accounts and the information they contain. We have conducted an independent audit of these accounts in order to express an opinion on them to the members of the organisation.

Our audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance as to whether the accounts are free of material misstatement. Our procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the accounts, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects, the accounts are presented fairly in accordance with Accounting Standards, statutory requirements and mandatory professional reporting requirements so as to present a view which is consistent with our understanding of the financial position and the results of its operation.

The audit opinion expressed in this report has been formed on the above basis.

#### Audit Opinion

In our opinion:

- (i) the organisation maintained satisfactory accounting records detailing the sources and nature of income (including income from members) and the nature and purpose of expenditure;
- (ii) in accordance with Section 276(2) of the Workplace Relations Act 1996 we were provided with access to all necessary records and documents and received satisfactory explanations from the organisation's officers and employees where necessary; and
- (iii) the accompanying accounts, present fairly in accordance with applicable Australian Accounting Standards, other mandatory professional reporting requirements and any other requirements of Chapter 8, Part 3 of the RAO Schedule and the Workplace Relations Act 1996:-
  - the financial position of the organisation as at 30<sup>th</sup> June, 2007, and
  - the results of its operations and cash flows for the year then ended.

#### ANDERSON & ASSOCIATES



JOHN V. ANDERSON CPA  
Registered Company Auditor  
Signed at Ringwood 7<sup>th</sup> August 2008

Suite 102  
17 Heatherdale Road  
Ringwood Vic 3134

Phone: +61 3 9872 5544  
Fax: +61 3 9872 5588  
frontdesk@anderson-assoc.com.au

**All correspondence to: PO Box 438 Ringwood Vic 3134**

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION**

**VICTORIA BRANCH**

**FINANCIAL STATEMENTS  
FOR THE YEAR ENDED  
JUNE 30, 2007**

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION  
VICTORIA BRANCH**

**INCOME STATEMENT  
FOR THE YEAR ENDED 30TH JUNE, 2007**

	NOTE	2007 \$	2006 \$
<b>INCOME</b>			
Members Subscriptions		16,500	14,700
Miscellaneous Income		<u>330</u>	<u>          </u>
<b>TOTAL INCOME</b>		<u>16,830</u>	<u>14,700</u>
 <b>EXPENDITURE</b>			
<b>Office Expenses:</b>			
Audit Fees		350	330
Bank Charges & Interest		<u>-</u>	<u>6</u>
		350	336
 <b>Professional Expenses:</b>			
Subscriptions - National Association		<u>16,500</u>	<u>14,700</u>
<b>TOTAL EXPENDITURE</b>		<u>16,850</u>	<u>15,036</u>
<b>OPERATING SURPLUS/(DEFICIT) FOR THE YEAR</b>		<u><u>(20)</u></u>	<u><u>(336)</u></u>

The accompanying notes form part of these financials accounts.

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION  
VICTORIA BRANCH**

**APPROPRIATION ACCOUNT  
FOR THE YEAR ENDED 30TH JUNE, 2007**

	NOTE	2007 \$	2006 \$
<b>Operating Surplus/(Deficit) brought forward</b>		(20)	(336)
Accumulated surpluses at the beginning of the financial year.		84	420
<b>Total available for appropriation</b>		64	84
<b>Transfers to Reserves</b>		-	-
<b>Accumulated surpluses at the end of the year</b>		64	84

The accompanying notes form part of these financial accounts.

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION  
VICTORIA BRANCH**

**BALANCE SHEET  
AS AT 30TH JUNE, 2007**

	NOTE	2007 \$	2006 \$
<b>CURRENT ASSETS</b>			
Cash		<u>414</u>	<u>384</u>
<b>TOTAL CURRENT ASSETS</b>		<u>414</u>	<u>384</u>
<b>TOTAL ASSETS</b>		<u>414</u>	<u>384</u>
<b>CURRENT LIABILITIES</b>			
Creditors and Borrowings		<u>350</u>	<u>300</u>
<b>TOTAL CURRENT LIABILITIES</b>		<u>350</u>	<u>300</u>
<b>TOTAL LIABILITES</b>		<u>350</u>	<u>300</u>
<b>NET ASSETS</b>		<u><u>64</u></u>	<u><u>84</u></u>
<b>SHAREHOLDERS EQUITY</b>			
Accumulated Surpluses		<u>64</u>	<u>84</u>
<b>TOTAL SHAREHOLDERS EQUITY</b>		<u><u>64</u></u>	<u><u>84</u></u>

The accompanying notes form part of these financial accounts.

Cash Flow

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION  
VICTORIA BRANCH**

**STATEMENT OF CASH FLOWS  
FOR THE YEAR ENDED 30 JUNE, 2007**

	<b>2007</b>	<b>2006</b>
	<b>\$</b>	
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>		
Receipts from members	16,830	14,700
Payments to suppliers	<u>(16,800)</u>	<u>(15,011)</u>
<b>NET CASH FLOW FROM OPERATING ACTIVITIES</b>	<u>30</u>	<u>(311)</u>
<b>CASH FLOW FORM INVESTING ACTIVITIES</b>		
Payments for property, plant & equipment	<u>-</u>	<u>-</u>
<b>NET CASH FLOW FROM INVESTING ACTIVITIES</b>	<u>-</u>	<u>-</u>
<b>CASH FLOW FROM FINANCING ACTIVITIES</b>		
Borrowings	-	-
Repayment of borrowing	<u>-</u>	<u>-</u>
<b>NET CASH FLOW FROM FINANCING ACTIVITIES</b>	<u>-</u>	<u>-</u>
<b>NET INCREASE (DECREASE) IN CASH HELD</b>	30	(311)
<b>CASH AT BEGINNING OF THE FINANCIAL YEAR</b>	<u>384</u>	<u>695</u>
<b>CASH AT END OF THE FINANCIAL YEAR</b>	<u><b>414</b></u>	<u><b>384</b></u>
<b>a) Reconciliation of Cash</b>		
Cash at Bank	<u>414</u>	<u>384</u>
<b>REONCILATION OF NET CASH FLOWS FROM OPERATING ACTIVITIES TO OPERATING PROFIT AFTER INCOME TAX</b>		
Operating profit after income tax	(20)	(336)
(Increase)/Decrease in Accounts Receivable	-	-
Increase/(Decrease) in Creditors	<u>50</u>	<u>25</u>
<b>NET CASH INFLOW (OUTFLOW) FROM OPERATING ACTIVITIES</b>	<u><b>30</b></u>	<u><b>(311)</b></u>

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION  
VICTORIA BRANCH  
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS  
AS AT 30<sup>TH</sup> JUNE, 2007**

**1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The financial statements have been prepared in accordance with applicable Australian Accounting Standards and the historical cost convention on the basis that the Organisation is a non reporting entity.

The financial statements are not purported to be general purpose financial reports and have been prepared exclusively for the use of the Organisation and its Committee of Management. The applicable Accounting Standards adopted are detailed in the notes to and forming part of the accounts.

The accounting policies adopted are consistent with those of the previous year unless otherwise stated.

**Income Tax Expense**

The organisation is registered as an "Industrial Organisation" and has an exemption from income tax under Section 23(f) of the Income Tax Assessment Act.

**2. INFORMATION PROVIDED TO MEMBERS OR REGISTRAR**

In accordance with the requirements of the Industrial Relations Act 1988, as amended, the attention of Members is drawn to the provisions of Sub-Sections (1), (2) and (3) of Section 275 which reads as follows:-

- (1) A member of an organisation, or a Registrar, may apply to the organisation for specified prescribed information in relation to the organisation.
- (2) An organisation shall, on application made under sub-section (1) by a member of the organisation or a Registrar, make the specified information available to the member or Registrar in such manner, and within such time as is prescribed.
- (3) A Registrar may only make an application under sub-section (1) at the request of a member of the organisation concerned, and the registrar shall provide to a member information received because of an application made at the request of the member."





**Australian Government**  
**Australian Industrial Registry**

Level 5, 11 Exhibition Street  
Melbourne, VIC 3000  
GPO Box 1994, Melbourne, VIC 3001  
Telephone: (03) 8661 7777  
Fax: (03) 9655 0410  
Email: [melbourne@air.gov.au](mailto:melbourne@air.gov.au)

Philip Lovel  
Acting Secretary/Treasurer  
Australian Road Transport Industrial Organisation  
Victorian Branch  
PO Box 5  
SOUTH MELBOURNE VIC 3205

By e-mail: [reception@vta.com.au](mailto:reception@vta.com.au)

Dear Mr Lovel,

**Re: Financial Report for the Year Ended 30 June 2007 - FR2007/308**  
**Schedule 1 of the Workplace Relations Act 1996 (RAO Schedule)**

I refer to a recent conversation between Michelle Baldini of this office and Paul Ryan. I also refer to my letter of 12 March 2008.

As I have noted the Branch has not complied with its financial reporting obligations as set out in the RAO Schedule. All reporting units are required to discharge their obligations fully. The Branch should undertake the steps noted below and then re-lodge the appropriate documents in the Registry:

In order to have the financial documents re-examined the reporting unit will need to prepare a new set of documents and repeat the reporting procedure. The reporting unit must first prepare a new General Purpose Financial Report (including all the relevant documents as listed in section 253 of the RAO Schedule). This fresh report will then need to be sent with the current Operating Report to the auditor so that a fresh Auditor's Report (containing an audit opinion framed in the correct wording) can be prepared.

Once the auditor has prepared a report and has returned the documents to the reporting unit, the reporting unit will need to provide the documents to members free of charge and then present the documents to another general meeting of members after at least 21 days.

After the documents have been presented to a meeting of members the reporting unit will need to prepare a fresh designated officer's certificate and lodge the documents in the Registry within the required timeframe.

If you have any queries about this letter please do not hesitate to contact me on (03) 8661 7787 or by e-mail at [Iain.Stewart@air.gov.au](mailto:Iain.Stewart@air.gov.au).

Yours sincerely,

A handwritten signature in black ink that reads 'Iain Stewart'.

Iain Stewart  
Statutory Services Branch

5 May 2008



Philip Lovel  
Acting Secretary/Treasurer  
Australian Road Transport Industrial Organisation  
Victorian Branch  
PO Box 5  
SOUTH MELBOURNE VIC 3205

By e-mail: [reception@vta.com.au](mailto:reception@vta.com.au)

Dear Mr. Lovel

**Schedule 1, Workplace Relations Act 1996**  
**Financial report for year ended 30 June 2007 [FR2007/308]**

I acknowledge receipt of the financial report for the Victorian Branch of the Australian Road Transport Industrial Organisation (the reporting unit) for the year ended 30 June 2007. These documents were lodged in the Registry on 27 February 2008.

My examination of the documents reveals substantial non-compliance with the requirements of Schedule 1 of the *Workplace Relations Act 1996* (the RAO Schedule):

**1. Timeline requirements**

Financial reports prepared under the RAO Schedule must be prepared in accordance with specific timelines. I have attached a copy of the requisite timeline in diagrammatical format for your reference.

In particular, I note that both the Committee of Management Statement and the Operating Report appears to be dated 10 January 2008, which is after the date of the Auditor's Report. It is a fundamental requirement of the reporting process that the auditor considers the General Purpose Financial Report, the Committee of Management Statement and the Operating Report whilst preparing their report. The fact that the documents post-date the Auditor's Report infers that the auditor did not consider them in writing their report.

Further, the General Purpose Financial Report, the Committee of Management Statement and the Operating Report must be prepared "as soon as practicable after the end of each financial year" (section 253(1) of the RAO Schedule). I do not view a period in excess of 6 months to be "as soon as practicable".

Finally, the full report must be lodged in the Registry within 14 days of the documents being presented to either a general meeting of members or, where the rules allow, a meeting of the Committee of Management. Under the current rules of the reporting unit the documents must be presented to a general meeting of members.

**2. The Auditor's Opinion**

Section 257(5) of the RAO Schedule requires the auditor to "state whether in the auditor's opinion the general purpose financial report is *presented fairly*" (emphasis added) in accordance with the applicable Australian Accounting Standards and any other requirements imposed by the RAO Schedule.

I note that paragraph 10 of the *Auditing Standard ASA 700* ("*The Auditor's Report on a General Purpose Financial Report*") stipulates that the phrases "gives a true and fair view"

and "presents fairly" are equivalent, however the law or regulation governing the audit of a particular financial report may require the use of a specific phrase. For the purposes of auditing a financial report under the RAO Schedule, the Schedule makes it clear that the auditor is required to use the phrase "presents fairly" when framing their opinion.

I note that this matter has previously been brought to your attention. Please ensure that this matter is rectified in the next financial report that is lodged in the Registry.

### **3. The General Purpose Financial Report**

The General Purpose Financial Report which was lodged in the Registry appears to be incomplete. Section 253(2)(a) of the RAO Schedule states that the financial statements which must be included in the GPFR include a profit and loss statement, a balance sheet, a statement of cash flows and any other statement required by the Australian Accounting Standards. It appears that the report which was lodged in the Registry is missing a Statement of the reporting unit's cash flows.

### **4. Reference to the Industrial Relations Act 1988**

Paragraph 2 of the Notes to the Financial Statements refers to a section of the Industrial Relations Act 1988 which no longer exists.

This paragraph will need to be changed to the appropriate section of the RAO Schedule regarding the provision of information to members or to the Registrar.

In order to have the financial documents re-examined the reporting unit will need to prepare a new set of documents and repeat the reporting procedure. The reporting unit must first prepare a new General Purpose Financial Report (including all the relevant documents as listed in section 253 of the RAO Schedule). This fresh report will then need to be sent with the current Operating Report to the auditor so that a fresh Auditor's Report (containing an audit opinion framed in the correct wording) can be prepared.

Once the auditor has prepared a report and has returned the documents to the reporting unit, the reporting unit will need to provide the documents to members free of charge and then present the documents to another general meeting of members after at least 21 days.

After the documents have been presented to a meeting of members the reporting unit will need to prepare a fresh designated officer's certificate and lodge the documents in the Registry within the required timeframe.

If you have any queries about this letter please do not hesitate to contact me on (03) 8661 7787 or by e-mail at [Iain.Stewart@air.gov.au](mailto:Iain.Stewart@air.gov.au).

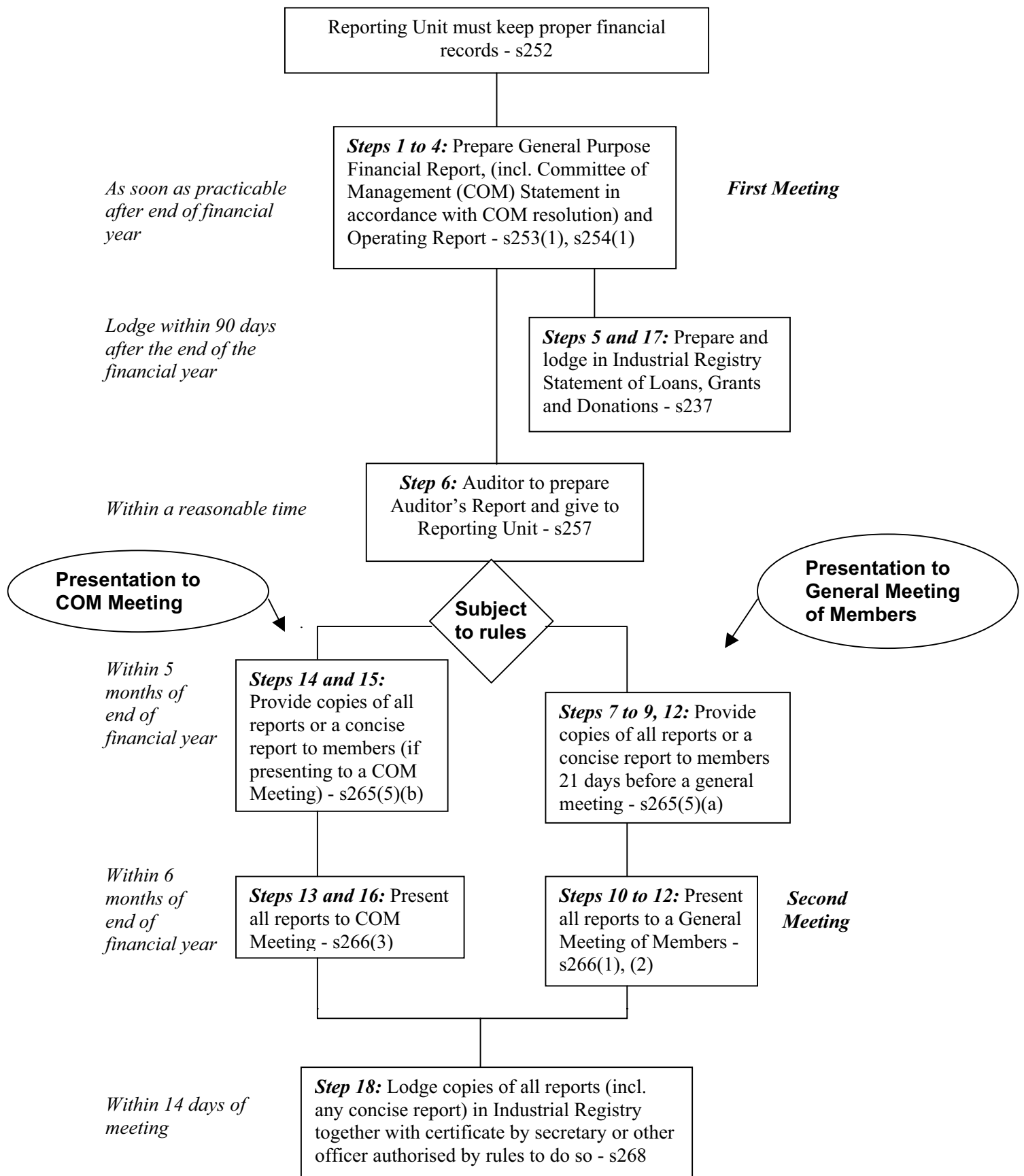
Yours sincerely,



Iain Stewart  
Statutory Services Branch

12 March 2008

## Diagrammatic Summary of Financial Reporting Process and Time-Limits



**NOTE:** The references to steps relate to the narrative description of the Financial Reporting Process and Time-Limits in Registry FACT Sheet No. 08/2003 - [http://www.airc.gov.au/fact\\_sheets/08\\_fact\\_sheet.htm](http://www.airc.gov.au/fact_sheets/08_fact_sheet.htm)

# **Workplace Relations Act 1996**

## **Schedule 1B**

Australian Industrial Registry  
Principal Registry  
Nauru House  
80 Collins Street  
Melbourne Vic 3000

(Postal Address:  
GPO Box 1994S  
Melbourne Vic 3001)

## **Determination of reporting guidelines for the purposes of section 253 of RAO Schedule**

### ***Application***

1. These reporting guidelines are made under section 255 of Schedule 1B (the RAO Schedule) of the *Workplace Relations Act 1996* (the Act).
2. These reporting guidelines apply to all general purpose financial reports of a reporting unit as defined in section 242 of the RAO Schedule except where a Registrar has issued a certificate under subsection 270(1) to the reporting unit in relation a financial year. Separate reporting guidelines made under section 255 of the RAO Schedule for purposes of section 270 apply to a general purpose financial report of a reporting unit in relation to the financial year for which a certificate has been issued under subsection 270(1).
3. In the event of a conflict between a requirement of these reporting guidelines and a requirement of an Australian Accounting Standard, the requirement of the Standard prevails unless there has been a determination under section 241 of the RAO Schedule that the Standard or the relevant part of the Standard does not apply in relation to an organisation or a class of organisations.

### ***Operative Date***

4. These reporting guidelines apply to each financial year of an organisation that starts on or after 1 November 2004.

### ***Purpose of Reporting Guidelines***

5. These reporting guidelines apply for purposes of section 253 of the RAO Schedule.
6. Under subsection 253(1) of the RAO Schedule a reporting unit is required to have a general purpose financial report (GPFR) prepared. The GPFR must be prepared in accordance with Australian Accounting Standards. These reporting guidelines prescribe certain disclosure requirements in addition to those prescribed by Australian Accounting Standards having in mind the nature of organisations registered under the RAO Schedule.
7. The disclosure requirements prescribed by these reporting guidelines are directed towards providing members of a reporting unit with information to enable them to gauge the performance of the committee of management and other holders of office in relation to the financial management of the reporting unit. In addition, the reporting guidelines seek to improve the quality of information available to users of the GPFR about the reporting unit's economic support of, or economic dependency on, other reporting units of the organisation.

## **General Requirements for Presentation and Disclosures in GPFR**

8. The reporting unit must disclose in the notes to the financial statements:
  - (a) where the reporting unit is dependent on another reporting unit of the organisation for a significant volume of revenue or financial support and that dependency is not clearly discernible from a separate line item in the profit and loss statement or the balance sheet:
    - (i) the name of the reporting unit on which there is an economic dependency; and
    - (ii) the amount of revenue or financial support derived from the other reporting unit;
  - (b) information for the preceding corresponding financial year which corresponds to the disclosures specified for the current financial year must be disclosed, except where, in respect of the financial year to which these reporting guidelines are first applied, corresponding information was not required under the Act or the Workplace Relations Regulations or a superseded version of these reporting guidelines; and
  - (c) the notice required by subsection 272(5) of the RAO Schedule drawing attention to subsections (1), (2) and (3) of section 272 and setting out those subsections.
  
9. Where a reporting unit acquires during the financial year an asset or a liability as a result of:
  - (a) an amalgamation under Chapter 3, Part 2 of the RAO Schedule in which the organisation was the amalgamated organisation; or
  - (b) a restructure of the branches of the organisation; or
  - (c) a determination by the Industrial Registrar under subsection 245(1) of the RAO Schedule of an alternative reporting structure for the organisation; or
  - (d) a revocation by the Industrial Registrar under subsection 249(1) of the RAO Schedule of a certificate issued to an organisation under subsection 245(1),the reporting unit must disclose in the notes to the financial statements in respect of each such asset or class of assets or each such liability or class of liabilities:
  - (e) date acquired;
  - (f) description; and
  - (g) name of the entity (including a reporting unit of the organisation or that of another organisation) from which it was acquired.

## **Profit and Loss Statement**

10. Balances for the following items of revenue must be disclosed by the reporting unit in the notes to the financial statements unless already disclosed on the face of the profit and loss statement in accordance with Australian Accounting Standards:
  - (a) entrance fees or periodic subscriptions (in these guidelines referred to as membership subscriptions) in respect of membership of the organisation;
  - (b) where under the rules of the organisation or a branch of the organisation a reporting unit may receive from another reporting unit of the organisation as a contribution towards the general administrative expenses of the reporting unit a proportion of the total amount received by the other reporting unit as entrance fees or membership subscriptions - the amount and the name in respect of each such reporting unit;
  - (c) where the circumstances specified in subparagraph (b) apply in relation to more than one other reporting unit of the organisation - the aggregate amount for all such reporting units;
  - (d) compulsory levies raised from the members or as appeals for voluntary contributions for the furtherance of particular purposes - the amount and a brief description of the purpose of each such levy or appeal; and

(e) donations or grants (other than voluntary contributions referred to in subparagraph (d)).

11. Balances for the following items of expense must be disclosed by the reporting unit in the notes to the financial statements unless already disclosed on the face of the profit and loss statement in accordance with Australian Accounting Standards:

- (a) expenses incurred as consideration for employers making payroll deductions of membership subscriptions;
- (b) where under the rules of the organisation or the rules of a branch of the organisation the reporting unit must pay to another reporting unit of the organisation as a contribution towards the administrative expenses of the other reporting unit a proportion of the total amount derived by the reporting unit as entrance fees or membership subscriptions - the amount and the name in respect of each such reporting unit;
- (c) where the circumstances specified in subparagraph (b) apply in relation to more than one other reporting unit of the organisation - the total amount in respect of all other reporting units;
- (d) fees and periodic subscriptions 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;
- (e) compulsory levies imposed on the reporting unit - for each such levy, the amount, a brief description of purpose and the name of the entity imposing the levy (including another reporting unit of the organisation);
- (f) grants or donations;
- (g) employee benefits to holders of office of the reporting unit;
- (h) employee benefits to employees (other than holders of offices) of the reporting unit;
- (i) fees or allowances (other than any amount included in an amount referred to in subparagraphs (g) or (h) of this paragraph) to persons in respect of their attendances as representatives of the reporting unit at conferences or other meetings;
- (j) legal costs and other expenses related to litigation or other legal matters;
- (k) expenses (other than expenses included in an amount referred to elsewhere in this paragraph) incurred in connection with meetings of members of the reporting unit and any conferences or meetings of councils, committees, panels or other bodies for the holding of which the reporting unit was wholly or partly responsible; and
- (l) penalties imposed on the reporting unit under the Act or Regulations.

12. Balances for the following items must be disclosed by the reporting unit in the notes to the financial statements unless already disclosed on the face of the profit and loss statement in accordance with Australian Accounting Standards:

- (a) where any amount (other than an amount included in an amount referred to elsewhere in these reporting guidelines) has been transferred to a fund or account kept for a specific purpose by the reporting unit or any such amount has been withdrawn from such a fund or account - the amount transferred to, or withdrawn from, that fund or account, as the case may be, and the name of the fund or account; and
- (b) the net surplus or net deficit of the reporting unit that has been transferred to the general fund.

## **Balance Sheet**

13. Where an item is disclosed on the face of the balance sheet as:

- (a) a receivable or other right to receive cash; or
- (b) a payable or other financial liability; and
- (c) the item or a part of the item has been derived as a result of one or more transactions and/or other past events with another reporting unit of the organisation,

the following additional disclosures should be made in the notes to the financial statements about the item or the part of the item:

- (d) name of the other reporting unit; and
- (e) cost or value attributable to the other reporting unit.

14. Total amounts for the following items must be disclosed by the reporting unit in the notes to the financial statements unless already disclosed on the face of the balance sheet in accordance with Australian Accounting Standards:

## **Liabilities**

- (a) payables to employers as consideration for the employers making payroll deductions of membership subscriptions;
- (b) payables in respect of legal costs and other expenses related to litigation or other legal matters;
- (c) employee benefits in respect of holders of offices in the reporting unit;
- (d) employee benefits in respect of employees (other than holders of offices) of the reporting unit;

## **Equity**

- (e) name and balance of each fund or account operated in respect of compulsory levies raised by the reporting unit or voluntary contributions collected from members of the reporting unit;
- (f) where moneys, or the balance of moneys, standing to the credit of a fund or account referred to in subparagraph (e) have been invested in any assets - the name of the fund or account and the value of those assets;
- (g) name and balance of each fund or account operated (other than the general fund or a fund referred to in (e)) the operation of which is required by the rules of the organisation including the rules of a branch of the organisation; and
- (h) the balance of the general fund.

## **Statement of Cash Flows**

15. Where another reporting unit 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 name of the other reporting unit concerned.



## ***Recovery of wages activity financial report***

16. Where the reporting unit has undertaken recovery of wages activity (and has derived revenues for the financial year in respect of such activity) the reporting unit must cause to be prepared for purposes of paragraph 253(2)(c) of the RAO Schedule a financial report in which is disclosed financial information associated with such activity.
17. The financial report required under paragraph 16 should be prepared and presented in a manner consistent with Australian Accounting Standards and Statements of Accounting Concepts approved by the Australian Accounting Standards Board.
18. Comparatives for the preceding financial year must be disclosed in the financial report required under paragraph 16 except where, in respect of the financial year to which these reporting guidelines are first applied, comparatives were not required under a superseded version of these reporting guidelines.
19. The financial report required under paragraph 16 may be prepared under the cash basis of accounting or the accrual basis of accounting, at the option of the organisation provided that all reporting units of the organisation use the same. The Appendix to these reporting guidelines provides for purposes of illustration only the format of this financial report prepared under the cash basis of accounting.
20. Balances including nil amounts for the following items of revenue must be disclosed in the financial report required under paragraph 16:
  - (a) amounts in aggregate recovered from employers in respect of recovery of wages activity; and
  - (b) interest received on recovered moneys.
21. Balances including nil amounts for the following items of outgoings from recovered moneys must be disclosed in the financial report required under paragraph 16:
  - (a) deductions of amounts payable in aggregate in respect of membership of the organisation where at the time of deduction the amounts had become payable:
    - (i) 12 months before or earlier; or
    - (ii) greater than 12 months before; and
  - (b) deductions of donations or other contributions made to a fund or account of the reporting unit showing the name and amount in aggregate in respect of each such fund or account; and
  - (c) deductions of donations or other contributions made to a fund or account of another reporting unit of the organisation showing the name of the other reporting unit and the name and amount in aggregate in respect of each such fund or account; and
  - (d) deductions of donations or other contributions made to a fund or account of another entity showing the name of the other entity and the name and amount in aggregate in respect of each such fund or account; and
  - (e) deductions in aggregate of fees charged or reimbursements in aggregate of expenses incurred by the reporting unit in respect of recovery of wages activity; and
  - (f) amounts in aggregate distributed to workers as recovered moneys.
22. Balances including nil amounts for cash assets attributable to recovered moneys must be disclosed in the financial report required under paragraph 16 as at the:
  - (a) beginning of the financial year; and

(b) end of the financial year.

23. For purposes of subparagraph 253(2)(b)(ii) of the RAO Schedule the notes to the financial statements must contain the following information in relation to recovery of wages unless already disclosed in the financial report required under paragraph 16:

- (a) the number of workers to which the moneys recovered mentioned in subparagraph 20(a) relate; and
- (b) aggregate payables to workers attributable to recovered moneys but not yet distributed; and
- (c) the number of workers to which the payables mentioned in subparagraph (b) relate; and
- (d) name and balance of each fund or account operated for recovery of wages activity; and
- (e) where moneys, or the balance of moneys, standing to the credit of a fund or account referred to in subparagraph (d) have been invested in any assets - the name of the fund or account and the value of those assets.

### ***Committee of Management Statement***

24. For purposes of paragraph 253(2)(c) of the RAO Schedule the reporting unit must cause to be prepared a committee of management statement containing declarations by the committee of management in relation to the GPFR.

25. The committee of management statement must include declarations by the committee of management as to whether in the opinion of the committee of management that:

- (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 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 RAO Schedule and the RAO Regulations; and
  - (iv) where the organisation consists of 2 or more reporting units, 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) the information sought in any request of a member of the reporting unit or a Registrar duly made under section 272 of the RAO Schedule has been furnished to the member or Registrar; and
  - (vi) there has been compliance with any order for inspection of financial records made by the Commission under section 273 of the RAO Schedule.

- (f) in relation to recovery of wages activity:
  - (i) the financial report on recovery of wages activity has been fairly and accurately prepared in accordance with the requirements of the reporting guidelines of the Industrial Registrar; and
  - (ii) the committee of management caused the auditor to include in the scope of the audit required under subsection 257(1) of the RAO Schedule all recovery of wages activity by the reporting unit in which revenues had been derived for the financial year in respect of such activity; and
  - (iii) no fees or reimbursements of expenses in relation to recovery of wages activity or donations or other contributions were deducted from moneys recovered from employers on behalf of workers other than reported in the financial report on recovery of wages activity and the notes to the financial statements; and
  - (iv) that prior to engaging in any recovery of wages activity, the organisation has disclosed to members by way of a written policy all fees to be charged or reimbursement of expenses required for recovery of wages activity, and any likely request for donations or other contributions in acting for a worker in recovery of wages activity; and
  - (v) no fees or reimbursements of expenses in relation to recovery of wages activity or donations or other contributions were deducted from moneys recovered from employers on behalf of workers until distributions of recovered money were made to the workers.

26. The committee of management statement must:

- (a) be made in accordance with such resolution as is passed by the committee of management of the reporting unit in relation to the matters requiring declaration;
- (b) specify the date of passage of the resolution;
- (c) be signed by a designated officer within the meaning of section 243 of the RAO Schedule; and
- (d) be dated as at the date the designated officer signs the statement.

### ***Auditor's Statement***

27. The auditor's statement required under section 257(5) of the RAO Schedule must include a declaration as to whether in the auditor's opinion the general purpose financial report is presented fairly in accordance with any of the following that apply in relation to the reporting unit:

- (a) the Australian Accounting Standards;
- (b) in relation to recovery of wages activity;
  - (i) that the scope of the audit encompassed recovery of wages activity;
  - (ii) that the financial statements and notes and recovery of wages activity financial report properly and fairly report all information required by the reporting guidelines of the Industrial Registrar, including;
    1. any fees charged to or reimbursements of expenses claimed from members and others for recovery of wages activity; and
    2. any donations or other contributions deducted from recovered money; and
- (c) any other requirements imposed by these Reporting Guidelines or Part 3 of Chapter 8 of the RAO Schedule.

## **Glossary of Terms**

28. The following terms are used in these reporting guidelines - the meaning of any term defined in the Australian Accounting Standards is not modified by the following glossary:

**amalgamated organisation** has the meaning provided in section 35 of the RAO Schedule.

**assets** are future economic benefits controlled by the reporting unit as a result of past transactions or other past events.

**Australian Accounting Standards** means the accounting standards issued by the Australian Accounting Standards Board (AASB) or issued by CPA Australia and by The Institute of Chartered Accountants in Australia and adopted by the AASB (section 6 of the RAO Schedule).

**cash assets** means cash on hand and cash-equivalent assets.

**cash-equivalent assets** means highly liquid investments with short periods to maturity which are readily convertible to cash on hand at the investor's option and are subject to an insignificant risk of changes in value.

**cash flows** means cash movements resulting from transactions with parties external to the reporting unit.

**cash on hand** means notes and coins held, and deposits held at call with a financial institution.

**comparatives** mean the corresponding amounts and other disclosures for the preceding financial year presented for comparative purposes as part of the current year's financial report.

**designated officer** is an officer of the reporting unit within the meaning of section 243 of the RAO Schedule.

**employee benefits** means all forms of consideration given by the reporting unit in exchange for services rendered by holders of office or employees.

**entity** means any legal, administrative, or fiduciary arrangement, organisational structure (including a reporting unit of an organisation) or other party (including a person) having the capacity to deploy scarce resources in order to achieve objectives.

**equity** means the residual interest in the assets of the reporting unit after deduction of its liabilities.

**financial liability** includes an obligation to deliver cash to another entity.

**financial records** to the extent that they relate to finances or financial administration includes a register, any other record of information, financial reports or financial records, however compiled, recorded or stored, a document (section 6 of the RAO Schedule).

**financial statements** comprise a profit and loss statement, a balance sheet and a statement of cash flows (paragraph 253(2)(a) of RAO Schedule).

**financial year** in relation to an organisation means the period of 12 months commencing on 1 July in any year or another period of 12 months as is provided in the rules of the organisation (section 6 of RAO Schedule) or a different period in the special circumstances set out in section 240 of the RAO Schedule.

**general administrative expenses** includes expenses in respect of the office of the reporting unit, and other expenses that arise at the reporting unit level and relate to the reporting unit as a whole.

**general fund** means the equity of the reporting unit other than in relation to any fund operated by the reporting unit for a specific purpose.

**general purpose financial report** has the meaning set out in subsection 253(2) of the RAO Schedule.

**grant or donation** is taken to have the same meaning as used in section 149 or section 237 of the RAO Schedule though is not limited by amount.

**liabilities** are the future sacrifices of economic benefits that the reporting unit is presently obliged to make to other entities as a result of past transactions or other past events.

**membership subscriptions** means periodic subscriptions in respect of membership of the organisation.

**notes to the financial statements** comprise notes required by Australian Accounting Standards and information required by the reporting guidelines (paragraph 253(2)(b) of the RAO Schedule).

**organisation** means an organisation registered under the RAO Schedule.

**payables** are amounts owed by the reporting unit to other entities for goods or services delivered.

**RAO Schedule** means Schedule 1B to the *Workplace Relations Act 1996*.

**RAO Regulations** means the *Workplace Relations (Registration and Accountability of Organisations) Regulations 2003*.

**receivables** are amounts owed to the reporting unit by other entities (including members of the reporting unit) for goods or services delivered (including membership subscriptions).

**recovery of wages activity** means work by the organisation to recover from employers money due and payable to workers under awards, certified agreements or Australian Workplace Agreements and contracts of employment.

**reporting unit** has the meaning set out in section 242 of the RAO Schedule.

**revenues** are inflows or other enhancements, or savings in outflows, of future economic benefits in the form of increases in assets or reductions in liabilities of the reporting unit that result in an increase in equity during the financial year.

**rules of an organisation** are the rules that an organisation must have under Chapter 5, Part 2 of the RAO Schedule.

**workers** means, in the context of recovery of wages activity, an employee of an employer who may or may not be a member of the organisation engaging in the recovery of wages activity.

Dated: 12 October 2004



Nicholas Wilson  
**Industrial Registrar**

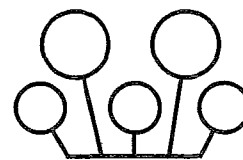
\* refer paragraph 19 of reporting guidelines for the purposes of section 253 of the RAO Schedule

**[full name of reporting unit]**

**Statement of receipts and payments for recovery of wages activity  
- Cash Basis - for year ended 30 June 2004**

	Note	2004 \$	2003 \$
<b>Cash assets in respect of recovered money at beginning of year</b>		X	X
<b>Receipts</b>			
Amounts recovered from employers in respect of wages etc		X	X
Interest received on recovered money		X	X
<b>Total receipts</b>		X	X
<b>Payments</b>			
Deductions of amounts due in respect of membership for:			
• 12 months or less		(X)	(X)
• greater than 12 months		(X)	(X)
Deductions of donations or other contributions to accounts or funds of:			
• the reporting unit -			
➤ [name of account]		(X)	(X)
➤ [name of fund]		(X)	(X)
➤ [name of fund]		(X)	(X)
• [name of other reporting unit of the organisation] -			
➤ [name of account]		(X)	(X)
➤ [name of fund]		(X)	(X)
➤ [name of fund]		(X)	(X)
• [name of other entity] -			
➤ [name of account]		(X)	(X)
➤ [name of fund]		(X)	(X)
➤ [name of fund]		(X)	(X)
Deductions of fees or reimbursements of expenses		(X)	(X)
Payments to workers in respect of recovered money		(X)	(X)
<b>Total payments</b>		(X)	(X)
<b>Cash assets in respect of recovered money at end of year</b>		X	X

Research  
FR2007/308

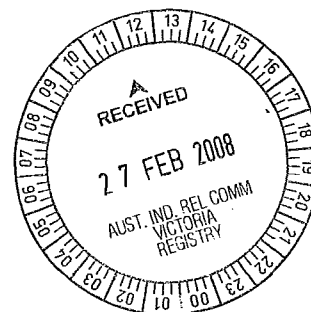


**ARTIO**

Australian Road Transport  
Industrial Organisation

27<sup>th</sup> February 2008

The Industrial Registrar  
Australian Industrial Registry  
GPO Box 1994  
MELBOURNE VIC 3000



**RE: ARTIO Vic Branch Financial statements for 2006/2007**

Please find attached financial statements for the Vic Branch of ARTIO for the 2006/2007 year. These statements along with the supporting paperwork were presented to a general meeting of members called in accordance with the Constitution. The meeting was held on 7 February 2008.

Please contact Paul Ryan on [REDACTED] if you require any further information

Yours Faithfully

  
PHILIP LOVEL  
Acting Secretary/Treasurer

- ARTIO PO Box 5 South Melbourne Victoria 3205 T 03 9646 8590 F 03 9646 8596 E reception@vta.com.au
- ARTIO VIC PO Box 5 South Melbourne Victoria 3205 T 03 9646 8590 F 03 9646 8596 E reception@vta.com.au
- ARTIO TAS GPO Box 1524 Hobart Tasmania 7001 T 03 6244 7436 F 03 6244 7910 E ed@tta.org.au
- ARTIO WA 37 Cohn Street Carlisle Western Australia 6101 T 08 9355 3022 F 08 9355 3122 E reception@transportforumwa.com.au
- ARTIO QLD PO Box 325 Stones Corner Queensland 4120 T 07 3394 4388 F 07 3397 9324 E admin@qta.com.au

**Certificate of Secretary or other Authorised Officer**  
s268 of Schedule 1B Workplace Relations Act 1996

I *Philip Lovel* being the *Secretary/Treasurer* of the Australian Road Transport Industrial Organization Victorian Branch certify:

- that the documents lodged herewith are copies of the full report referred to in s268 of the RAO Schedule; and
- that the full report was provided to members on *10 January 2008*; and
- that the full report was presented to *a general meeting of members* of the reporting unit on 7 February 2008 in accordance with section 266 of the RAO Schedule.

Signature



Date: 7 February 2008

*RAO regulation 162 prescribes the designated officer for the purpose of RAO schedule s268 as:*

- (a) the secretary; or
- (b) an officer of the organisation other than the secretary who is authorised by the organisation or by the rules of the organisation to sign the certificate mentioned in that paragraph.



### Committee of Management Statement

On 10 January 2008 the Committee of Management of the Australian Road Transport Industrial Organization, Victorian Branch passed the following resolution to the general purpose financial report (GPFR) of the reporting unit for the financial year ended 30 June 2007:

The Committee of Management declares in relation to the GPFR 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 Industrial Registrar;
- (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;
- (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 RAO Schedule and the RAO Regulations; and
  - (iv) no request of a member of the reporting unit or Registrar was made under section 272 of the RAO Schedule; and
  - (vi) there has been no order for inspection of financial records made by the Commission under s. 273 of the RAO Schedule

For Committee of Management: *Philip Lovel*

Title of Office held: Secretary/Treasurer

Signature:



Date: 10 January 2008

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION, VICTORIAN  
BRANCH**

**OPERATING REPORT FOR THE YEAR ENDED 30 JUNE 2007**

**Principal Activities**

The principal activities of the Association during the financial year were to promote, protect and advance the interests of its members through the maintenance of AIRC Awards, the development of EBA's and representation of members in various state and federal industrial courts and commissions.

**Results of Principal Activities**

The Association's principal activities resulted in maintaining and improving the position of its members within the Industrial Relations framework.

**Significant Changes in Nature of Principal Activities**

There were no significant changes in the nature of the Association's principal activities during the financial year.

**Significant Changes in Association's Financial Affairs**

No matters or circumstances arose during the reporting year which significantly affected the financial affairs of the Association.

**Trustee or Director of Trustee Company of Superannuation Entity or Exempt Public Sector Superannuation Scheme**

The following officers of the Branch held reserved positions in the following entities:

Philip Lovel is a Director of TWU Superannuation Nominees Pty Ltd, a trustee company that is the trustee of the TWU Superannuation Fund.

**Number of Members**

The number of persons who, at the end of the financial year, were recorded on the Register of Members was 208.

**Rights of Members to Resign**

Any member has the right to resign from Association in accordance with the provisions of Rule 11 of the organisations's rules.

**Number of Employees**

The number of persons who were, at the end of the financial year, employees of the Association was 0.25 measured on a full time equivalent basis.

**Members of Committee of Management**

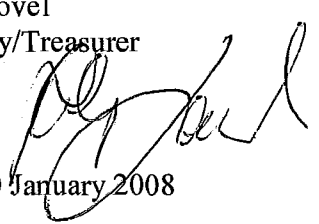
The persons who held office as members of the Committee of Management of the Association at the beginning of the financial year were:

David Sinclair  
Tom O'Bryan  
Rod Lemish

Paul Freestone  
Philip Lovel

During the year, David Sinclair and Rod Lemish left and were replaced by Brian Hesketh and Angela Murphy.

Philip Lovel  
Secretary/Treasurer

A handwritten signature in black ink, appearing to read 'Philip Lovel', written over the typed name and title.

Date: 10 January 2008

# Anderson & Associates

Certified Practising Accountants

## AUDITORS REPORT

### TO THE MEMBERS:

### AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION – VICTORIA BRANCH

#### Scope

We have audited the accompanying accounts being the Committee of Management Statement, Statement of Financial Position, Statement of Financial Performance, Statement of Cash Flows and notes to and forming part of the accounts of Australian Road Transport Industrial Organisation - Victoria Branch for the year ended 30<sup>th</sup> June, 2007. The organisation's officers are responsible for the preparation and presentation of the accounts and the information they contain. We have conducted an independent audit of these accounts in order to express an opinion on them to the members of the organisation.

Our audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance as to whether the accounts are free of material misstatement. Our procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the accounts, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects, the accounts are presented fairly in accordance with Accounting Standards, statutory requirements and mandatory professional reporting requirements so as to present a view which is consistent with our understanding of the financial position and the results of its operation.

The audit opinion expressed in this report has been formed on the above basis.

#### Audit Opinion

In our opinion:

- (i) the organisation maintained satisfactory accounting records detailing the sources and nature of income (including income from members) and the nature and purpose of expenditure;
- (ii) in accordance with Section 276(2) of the Workplace Relations Act 1996 we were provided with access to all necessary records and documents and received satisfactory explanations from the organisation's officers and employees where necessary; and
- (iii) the accompanying accounts, which have been prepared from the accounting records and in accordance with Section 273 of the Workplace Relations Act 1996, as amended and applicable Accounting Standards, are properly drawn up so as to give a true and fair view of :-
  - the financial affairs of the organisation as at 30<sup>th</sup> June, 2007, and
  - the income, expenditure and financial result and cash flows of the organisation for the year ended on that date.

ANDERSON & ASSOCIATES



JOHN V. ANDERSON CPA  
Registered Company Auditor  
Signed at Ringwood 7 January 2008

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION  
VICTORIA BRANCH**

**PROFIT AND LOSS STATEMENT  
FOR THE YEAR ENDED 30TH JUNE, 2007**

	NOTE	2007 \$	2006 \$
<b>INCOME</b>			
Members Subscriptions		16,500	14,700
Miscellaneous Income		<u>330</u>	<u>          </u>
<b>TOTAL INCOME</b>		<u>16,830</u>	<u>14,700</u>
 <b>EXPENDITURE</b>			
<b>Office Expenses:</b>			
Audit Fees		350	330
Bank Charges & Interest		<u>-</u>	<u>6</u>
		350	336
 <b>Professional Expenses:</b>			
Subscriptions - National Association		<u>16,500</u>	<u>14,700</u>
<b>TOTAL EXPENDITURE</b>		<u>16,850</u>	<u>15,036</u>
<b>OPERATING SURPLUS/(DEFICIT) FOR THE YEAR</b>		<u><u>(20)</u></u>	<u><u>(336)</u></u>

The accompanying notes form part of these financials accounts.

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION  
VICTORIA BRANCH**

**PROFIT AND LOSS APPROPRIATION ACCOUNT  
FOR THE YEAR ENDED 30TH JUNE, 2007**

	NOTE	2007 \$	2006 \$
<b>Operating Surplus/(Deficit) brought forward</b>		(20)	(336)
Accumulated surpluses at the beginning of the financial year.		84	420
<b>Total available for appropriation</b>		64	84
<b>Transfers to Reserves</b>		-	-
<b>Accumulated surpluses at the end of the year</b>		64	84

The accompanying notes form part of these financial accounts.

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION**  
**VICTORIA BRANCH**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**  
**AS AT 30<sup>TH</sup> JUNE, 2007**

**1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The financial statements have been prepared in accordance with applicable Australian Accounting Standards and the historical cost convention on the basis that the Organisation is a non reporting entity.

The financial statements are not purported to be general purpose financial reports and have been prepared exclusively for the use of the Organisation and its Committee of Management. The applicable Accounting Standards adopted are detailed in the notes to and forming part of the accounts.

The accounting policies adopted are consistent with those of the previous year unless otherwise stated.

**Income Tax Expense**

The organisation is registered as an “Industrial Organisation” and has an exemption from income tax under Section 23(f) of the Income Tax Assessment Act.

**2. INFORMATION PROVIDED TO MEMBERS OR REGISTRAR**

In accordance with the requirements of the Industrial Relations Act 1988, as amended, the attention of Members is drawn to the provisions of Sub-Sections (1), (2) and (3) of Section 274 which reads as follows:-

- (1) A member of an organisation, or a Registrar, may apply to the organisation for specified prescribed information in relation to the organisation.
- (2) An organisation shall, on application made under sub-section (1) by a member of the organisation or a Registrar, make the specified information available to the member or Registrar in such manner, and within such time as is prescribed.
- (3) A Registrar may only make an application under sub-section (1) at the request of a member of the organisation concerned, and the registrar shall provide to a member information received because of an application made at the request of the member.”