



FAIR WORK
AUSTRALIA

5 April 2012

Mr P. Lovel
Acting Secretary/Treasurer
Australian Road Transport Industrial Organization
Victorian Branch

Email: Paul Ryan [paulryan@bigpond.net.au]

Dear Mr Lovel,

Re: Financial report of the Australian Road Transport Industrial Organization - Victoria Branch - FR2009/10011, 2010/2620 and 2011/2634

Thank you for lodging the financial reports of the Australian Road Transport Industrial Organization - Victoria Branch for the financial years ended 30 June 2010 and 30 June 2011.

I also acknowledge receipt of further information in relation to the financial report of the branch for the year ended 30 June 2009.

The documents were lodged in this office on 26 March 2012.

The financial reports have been filed.

Examination of the financial report for the year ended 30 June 2009 has shown that matters requiring advice have either been corrected or repeated in relation to the organisation's financial report for the years ended 30 June 2010 and 30 June 2011. The following comments are in relation to the year ended 30 June 2011.

1. Timescale Requirements

As you are aware, an organisation is required under the Fair Work (Registered Organisations) Act 2009 'RO Act' to undertake certain steps in accordance with specified timelines. Information about these timeline requirements can be found on the Fair Work Australia website. In particular, I draw your attention to fact sheet 08 which explains the timeline requirements, and fact sheet 09 which sets out the timeline requirements in diagrammatical form.

Where the full report is presented to a committee of management meeting, it must be first provided to members within 5 months of the end of the financial year [section 265(5)(b)] and presented to the committee of management meeting within 6 months of the end of the financial year (section 266).

It is noted that this did not occur within the timeframe. If this course of action is to be repeated in future financial years, please ensure that the full report is provided to members within 5 months and presented to a committee of management meeting within 6 months.

2. 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 Fair Work (Registered Organisations) Regulations 2009 'RO Regs'.

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

3. Auditor's Report

The reference in paragraph (iii) to Schedule 1 should read the Fair Work (Registered Organisations) Act 2009.

4. Committee of Management Statement

In paragraph (e)(iii) reference should also be made to the Fair Work (Registered Organisations) Act 2009.

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@fwa.gov.au.

Yours sincerely,



Larry Powell
Organisations, Research and Advice



Australian Road Transport
Industrial Organisation

ABN: 63734697902

The General Manager
Fair Work Australia
GPO Box 1994
MELBOURNE VIC 3000

26 March 2012

By email: kevin.donnellan@fwa.gov.au

Att: Kevin Donnellan

Dear Kevin

RE: ARTIO Vic Branch Financial statements for years 2008/09, 2009/10 and 2010/11

Please find attached financial statements for ARTIO Vic Branch for the 2009/10 and 2010/11 financial years. These statements along with the supporting paperwork were presented to a Committee of Management meeting on 23 March 2012 and then referred to the Auditor with the necessary paperwork. The auditor approved the full accounts and these were then accepted, along with the Auditor's Report, by the Committee of Management.

Also, attached are the Branch accounts for 2008/09 which required a cash flow statement which is now included in the amended set of accounts. These had previously been approved by the Branch Committee on 3 February 2010.

As you would be aware, following the alterations to our rules in 2009 there is no longer any requirement to have them accepted and approved at a general meeting of members. The accounts and accompanying documents have been available to members from 23 March 2012.

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

Yours Faithfully

PHILIP LOVEL
Branch Secretary/Treasurer

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AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION

VICTORIA BRANCH

**FINANCIAL STATEMENTS
FOR THE YEAR ENDED
JUNE 30, 2011**

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION
VICTORIA BRANCH**

**INCOME STATEMENT
FOR THE YEAR ENDED 30TH JUNE, 2011**

	NOTE	2011 \$	2010 \$
INCOME			
Members Subscriptions		23,415	22,300
Miscellaneous Income		450	450
TOTAL INCOME		23,865	22,750
 EXPENDITURE			
Office Expenses:			
Audit Fees		450	450
Bank Charges & Interest		-	-
		450	450
 Professional Expenses:			
Subscriptions - National Association		23,415	22,300
TOTAL EXPENDITURE		23,865	22,750
OPERATING SURPLUS/(DEFICIT) FOR THE YEAR		0	0

The accompanying notes form part of these financial accounts.

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION
VICTORIA BRANCH**

**STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 30TH JUNE, 2011**

	\$
Accumulated Surplus/(Deficit) 1 July 2009	64
Profit attributable to members	<u>0</u>
Balance as of 30 June 2010	64
Profit attributable to members	<u>0</u>
Balance as of 30 June 2011	<u><u>64</u></u>

The accompanying notes form part of these financial accounts.

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION
VICTORIA BRANCH**

**BALANCE SHEET
AS AT 30TH JUNE, 2011**

	NOTE	2011 \$	2010 \$
CURRENT ASSETS			
Receivables		<u>514</u>	<u>64</u>
TOTAL CURRENT ASSETS		<u>514</u>	<u>64</u>
TOTAL ASSETS		<u>514</u>	<u>64</u>
CURRENT LIABILITIES			
Creditors and Borrowings		<u>450</u>	<u>0</u>
TOTAL CURRENT LIABILITIES		<u>450</u>	<u>0</u>
TOTAL LIABILITES		<u>450</u>	<u>0</u>
NET ASSETS		<u><u>64</u></u>	<u><u>64</u></u>
SHAREHOLDERS EQUITY			
Accumulated Surpluses		<u>64</u>	<u>64</u>
TOTAL SHAREHOLDERS EQUITY		<u><u>64</u></u>	<u><u>64</u></u>

The accompanying notes form part of these financial accounts.

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION
VICTORIA BRANCH**

**STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30 JUNE, 2011**

	2011	2010
	\$	
CASH FLOWS FROM OPERATING ACTIVITIES		
Receipts from members	23,415	22,300
Payments to suppliers	<u>(23,415)</u>	<u>(22,300)</u>
NET CASH FLOW FROM OPERATING ACTIVITIES	<u>-</u>	<u>-</u>
 CASH FLOW FORM INVESTING ACTIVITIES		
Payments for property, plant & equipment	<u>-</u>	<u>-</u>
NET CASH FLOW FROM INVESTING ACTIVITIES	<u>-</u>	<u>-</u>
 CASH FLOW FROM FINANCING ACTIVITIES		
Borrowings	-	-
Repayment of borrowing	<u>-</u>	<u>-</u>
NET CASH FLOW FROM FINANCING ACTIVITIES	<u>-</u>	<u>-</u>
 NET INCREASE (DECREASE) IN CASH HELD	-	-
 CASH AT BEGINNING OF THE FINANCIAL YEAR	<u>-</u>	<u>-</u>
 CASH AT END OF THE FINANCIAL YEAR	<u><u>-</u></u>	<u><u>-</u></u>
 a) Reconciliation of Cash		
Cash at Bank	<u><u>-</u></u>	<u><u>-</u></u>
 REONCILATION OF NET CASH FLOWS FROM OPERATING ACTIVITIES TO OPERATING PROFIT AFTER INCOME TAX		
Operating profit after income tax	-	-
(Increase)/Decrease in Accounts Receivable	(450)	-
Increase/(Decrease) in Creditors	<u>450</u>	<u>-</u>
NET CASH INFLOW (OUTFLOW) FROM OPERATING ACTIVITIES	<u><u>-</u></u>	<u><u>-</u></u>

AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION VICTORIA BRANCH

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS AS AT 30TH JUNE, 2011

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

This financial report covers Australian Road Transport Industrial Organisation – Victoria Branch as an individual entity.

Basis of Preparation

The financial report is a general purpose financial report that has been prepared in accordance with Australian Accounting Standards, mandatory reporting requirements and the Fair Work (Registered Organisations) Act 2009.

Australian Accounting Standards set out accounting policies that the AASB has concluded would result in a financial report containing relevant and reliable information about transactions, events and conditions to which they apply. Compliance with Australian Accounting Standards ensures that the financial statements and notes also comply with International Financial Reporting Standards. Material accounting policies adopted in the preparation of this financial report are presented below and have been consistently applied unless otherwise stated.

The financial report has been prepared on an accruals basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and financial liabilities.

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.

Property, Plant and Equipment

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

Plant and equipment

Plant and equipment are measured on the cost basis less depreciation and impairment losses.

The carrying amount of plant and equipment is reviewed annually by directors to ensure it is not in excess of the recoverable amount from these assets. The recoverable amount is assessed on the basis of the expected net cash flows that will be received from the assets’ employment and subsequent disposal. The expected net cash flows have been discounted to their present values in determining recoverable amounts.

AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION VICTORIA BRANCH

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS AS AT 30TH JUNE, 2011

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Depreciation

The depreciable amount of all fixed assets, including buildings and capitalised lease assets, is depreciated on a straight-line basis over the asset's useful life commencing from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements.

Financial instruments

Initial recognition and measurement

Financial assets and financial liabilities are recognised when the entity becomes a party to the contractual provisions to the instrument. For financial assets, this is equivalent to the date that the organisation commits itself to either purchase or sell the asset.

Financial instruments are initially measured at fair value plus transaction costs except where the instrument is classified 'at fair value through profit or loss' in which case transaction costs are expensed to profit or loss immediately.

Impairment of Assets

At each reporting date, the organisation reviews the carrying values of its tangible and intangible assets to determine whether there is any indication that those assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value-in-use, is compared to the asset's carrying value. Any excess of the asset's carrying value over its recoverable amount is expensed to the income statement.

Where it is not possible to estimate the recoverable amount of an individual asset, the organisation estimates the recoverable amount of the cash-generating unit to which the asset belongs.

Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, deposits held at-call with banks, other short-term highly liquid investments with original maturities of three months or less, and bank overdrafts. Bank overdrafts are shown within borrowings in current liabilities on the balance sheet.

Revenue and Other Income

Revenue is measured at the fair value of the consideration received or receivable after taking into account any trade discounts and volume rebates allowed. Any consideration deferred is treated as the provision of finance and is discounted at a rate of interest that is generally accepted in the market for similar arrangements. The difference between the amount initially recognised and the amount ultimately received is interest revenue.

AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION VICTORIA BRANCH

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS AS AT 30TH JUNE, 2011

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Revenue from the sale of goods is recognised at the point of delivery as this corresponds to the transfer of significant risks and rewards of ownership of the goods and the cessation of all involvement in those goods.

Revenue from the provision of membership subscriptions is recognised on an accrual basis over the financial year.

All revenue is stated net of the amount of goods and services tax (GST).

Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Tax Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the balance sheet are shown inclusive of GST.

Comparative Figures

When required by Accounting Standards, comparative figures have been adjusted to conform to changes in presentation for the current financial year.

2. INFORMATION PROVIDED TO MEMBERS OR GENERAL MANAGER – FAIR WORK AUSTRALIA

In accordance with the requirements of the Fair Work (Registered Organisations) Act 2009, as amended, the attention of Members is drawn to the provisions of Sub-Sections (1), (2) and (3) of Section 272 which reads as follows:-

- (1) A member of a reporting unit, or the General Manager – Fair Work Australia, 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).



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AUDITORS REPORT

TO THE MEMBERS: AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION VICTORIA BRANCH

Scope

We have audited the accompanying accounts being the Operating Report, Committee of Management Statement, Income Statement, Statement of Changes in Equity, Balance Sheet, 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 30th June, 2011. 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 257(2) of the Fair Work (Registered Organisations) Act 2009 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 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:-
 - the financial position of the organisation as at 30th June, 2011, 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 23rd March 2012

Branch Committee of Management Statement

On 23 March 2012 the Committee of Management of the Australian Road Transport Industrial Organization, Vic Branch passed the following resolution to the general purpose financial report (GPFR) of the reporting unit for the financial year ended 30 June 2011:

The Committee of Management declares in relation to the GPFR that in its opinion:

- (a) the Branch financial statements and notes comply with the Australian Accounting Standards;
- (b) the Branch financial statements and notes comply with the reporting guidelines of the General Manager FWA,
- (c) the Branch 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 Fair Work (Registered Organisations) Regulations 2009; and
 - (iv) as 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) no request of a member of the reporting unit or General Manager, Fair Work Australia was made under section 272 of the Fair Work (Registered Organisations) Act 2009; and
 - (vi) there has been no order for inspection of financial records made by Fair Work Australia under s. 273 of the Fair Work (Registered Organisations) Act 2009

For the Branch Committee of Management: ***Philip Lovel***

Title of Office held: Secretary/Treasurer



Signature:

Date: 23 March 2012

Certificate of Secretary or other Authorised Officer
s268 of the Fair Work (Registered Organisations) Act 2009

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

- that the documents lodged herewith are copies of the full report referred to in s266 of the Act; and
- that the full report (which includes the Auditor's Report and the Operating Report) was provided to members on **23 March 2012**; and
- that the full report, was presented to and accepted by the Committee of Management on 23 March 2012 in accordance with Rule 35A of the Organisation's rules.



Signature

Secretary/Treasurer

Date: 23 March 2012

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION, VIC BRANCH
OPERATING REPORT FOR THE YEAR ENDED 30 JUNE 2011**

Principal Activities

The principal activities of the Branch during the financial year were to promote, protect and advance the interests of its members through the maintenance of Industrial Instruments, including Modern Awards, the development of EBA's and representation of members in various state and federal Industrial Commissions and Tribunals.

Results of Principal Activities

The Branch'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 Branch'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 Association 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 TWUSUPER.

Number of Members

The number of persons who, at the end of the financial year, were recorded on the Register of Members was 289.

Rights of Members to Resign

Any member has the right to resign from Association in accordance with the provisions of Rule 11 of the organisation's rules which states:

“11 - RESIGNATION FROM MEMBERSHIP

- (1) A member of the Organization may resign from membership by written notice addressed and delivered to the Secretary/Treasurer of the Branch of which it is a member.
- (2) A notice of resignation from membership of the Organization takes effect:
 - (a) where the member ceases to be eligible to become a member of the Organization;
 - (i) on the day on which the notice is received by the Organization; or

- (ii) on the day specified in the notice, which is a day not earlier than the day when the member ceases to be eligible to become a member;
whichever is later; or
- (b) in any other case
- (i) at the end of two (2) weeks after the notice is received by the Organization; or
- (ii) on the day specified in the notice;
whichever is later
- (3) Any dues payable but not paid by a former member of the Organization, in relation to a period before the member's resignation from the Organization took effect, may be sued for and recovered in the name of the Organization, in a court of competent jurisdiction, as a debt due to the Organization.
- (4) A notice delivered to the person mentioned in subrule (1) is taken to have been received by the Organization when it was delivered.
- (5) A notice of resignation that has been received by the Organization is not invalid because it was not addressed and delivered in accordance and delivered in accordance with Rule 11(1).
- (6) A resignation from membership of the Organization is valid even if it is not effected in accordance with this section if the member is informed in writing by or on behalf of the Organization that the resignation has been accepted.”

Number of Employees

The Organisation has no direct employees and services are provided through an external consultant to the equivalent of 0.4 of a full time equivalent employee.

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 and throughout that year were:

Paul Freestone

Brian Hesketh, replaced by Bruce Forsyth at the 2010 Branch elections

Philip Lovel Secretary/Treasurer

Peter Anderson, replaced by Cameron Dunn at the 2010 Branch elections

Angela Murphy, replaced by Brendan Hopley at the 2010 Branch elections

Darren Jones elected at the 2010 Branch elections



Philip Lovel

Secretary/Treasurer

Date: 23 March 2012