



25 February 2020

Peter Anderson
National & Vic Secretary/Treasurer
Australian Road Transport Industrial Organization - Victoria Branch

Sent via email: reception@vta.com.au
CC: paulryan@bigpond.net.au
andrew.marks@williambuck.com

Dear Peter Anderson,

**Australian Road Transport Industrial Organization - Victoria Branch
Financial Report for the year ended 30 June 2019 – (FR2019/164)**

I acknowledge receipt of the financial report for the year ended 30 June 2019 for the Australian Road Transport Industrial Organization - Victoria Branch (**the reporting unit**). The documents were lodged with the Registered Organisations Commission (**the ROC**) on 6 December 2019.

The financial report has now been filed.

The financial report was filed based on a primary review. This involved confirming that the financial reporting timelines required under s.253, s.265, s.266 and s.268 of the *Fair Work (Registered Organisations) Act 2009 (RO Act)* have been satisfied, all documents required under s.268 of the RO Act were lodged and that various disclosure requirements under the Australian Accounting Standards, RO Act and reporting guidelines (**RGs**) have been complied with. A primary review does not examine all disclosure requirements.

Please note that the financial report for the year ending 30 June 2020 may be subject to an advanced compliance review.

You are not required to take any further action in respect of the report lodged. I make the following comments to assist you when you next prepare a financial report. The ROC will confirm these concerns have been addressed prior to filing next year's report.

General purpose financial report

References to legislation and the ROC

Following the enactment of the *Fair Work (Registered Organisations) Amendment Act 2016*, the ROC is the new regulator for registered organisations, with effect from 1 May 2017. All references to the Fair Work Commission and General Manager must be changed to the Registered Organisations Commission and Commissioner except in relation to declaration (e)(vi) in the committee of management statement.

I note that Note 2 *Information provided to members or General Manager - Fair Work Australia* refers to the General Manager – Fair Work Australia instead of the Commissioner – ROC.

Nil activities disclosure

Item 21 of the RGs states that if any of the activities identified within items 10-20 of the RGs have not occurred in the reporting period, a statement to this effect must be included either in the financial statements, the notes or in the officer's declaration statement. The notes contained nil activity information for all prescribed RG categories except the following:

- Acquire an asset or liability due to an amalgamation under Part 2 of Chapter 2 of the RO Act, a restructure of the branches of an organisation, a determination or revocation by the General Manager, Fair Work Commission (RG 12);
- Have a fund or account for compulsory levies, voluntary contributions or required by the rules of the organisation or branch (RG 17(a));
- Transfer to or withdraw from a fund (other than the general fund), account, asset or controlled entity (RG 17(b));
- Provide cash flows to another reporting unit and/or controlled entity (RG 18);
- Receive cash flows from another reporting units and/or controlled entity (RG 18);
- Have another entity administer the financial affairs of the reporting unit (RG 19); and
- Make a payment to a former related party of the reporting unit (RG 20).

Please ensure in future years that the above mentioned items are disclosed in either the financial statements, the notes or in the officer's declaration statement as per the RGs.

Recovery of wages disclosure

Please note that under the 5th edition of the RG made under section 255 of the RO Act issued 4 May 2018 a recovery of wages activity statement is no longer required. Furthermore, the RGs no longer require a statement in regard to recovery of wages activity in the committee of management statement.

I note that the committee of management statement still discloses a statement in regard to recovery of wages activity. As abovementioned, if recovery of wages activity has not occurred in the reporting period, a statement to this effect must be included in the financial statements, the notes or in an officer's declaration statement.

Transactions with the Australian Road Transport Industrial Organization (**National Office**)

The reporting unit's statement of profit or loss and other comprehensive income discloses subscriptions paid to the National Office of \$22,000 for 2019 financial year (2018: \$22,000). The National Office's financial statements, however discloses branch fees received from the reporting unit of \$24,000 for 2019 financial year (2018: \$20,000).

As per correspondence received from National Industrial Adviser - Paul Ryan on 11 February 2020 the discrepancies were due to incorrect inclusion of GST and typographical error when recording subscriptions paid to the National office in the reporting unit's financial statement.

Please ensure that the comparative figures in the reporting unit's 2019-2020 financial report are adjusted to reflect the correct subscriptions paid for 2019 financial year. Please also ensure that disclosures for prior period errors are in accordance with the Australian Accounting Standard *AASB 108 Accounting Policies, Changes in Accounting Estimates and Errors*.

Reporting Requirements

The ROC website provides a number of factsheets in relation to the financial reporting process and associated timelines. The website also contains the s.253 RGs and a model set of financial statements.

The ROC recommends that reporting units use these model financial statements to assist in complying with the RO Act, the s.253 RGs and Australian Accounting Standards. Access to this information is available via [this link](#).

If you have any queries regarding this letter, please contact me on (03) 9603 0764 or via email at kylie.ngo@roc.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Kylie', written over a horizontal line.

Kylie Ngo
Registered Organisations Commission

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

I **Peter Anderson** being the *Secretary/Treasurer* of the Australian Road Transport Industrial Organization (ARTIO) Vic Branch certify:

- that the documents lodged herewith are copies of the full report referred to in s268 of the Act for ARTIO Vic Branch for the period ending 30 June 2019; and
- that the full report (which includes the Auditor's Report and the Operating Report) was available to members in accordance with s265 of the Act ***on and from 29 November 2019***; and
- that the full report, was presented to and accepted by the Committee of Management at its meeting held on 3 December 2019 in accordance with Rule 35A of the Organisation's rules.

Signature:



Secretary/Treasurer

Date: 3 December 2019

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL
ORGANISATION**

VICTORIA BRANCH

**FINANCIAL
STATEMENTS FOR
THE YEAR ENDED
JUNE 30, 2019**

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION
VICTORIA BRANCH**

**STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME FOR
THE YEAR ENDED 30TH JUNE, 2019**

| | NOTE | 2019 \$ | 2018 \$ |
|---|------|---------------|---------------|
| INCOME | | | |
| Members Subscriptions | | 22,000 | 22,000 |
| Miscellaneous Income | | <u>1,650</u> | <u>1,650</u> |
| TOTAL INCOME | | <u>23,650</u> | <u>23,650</u> |
| EXPENDITURE | | | |
| Office Expenses: | | | |
| Audit Fees | | 1,650 | 1,650 |
| Professional Expenses: | | | |
| Subscriptions - National Association | | <u>22,000</u> | <u>22,000</u> |
| TOTAL EXPENDITURE | | <u>23,650</u> | <u>23,650</u> |
| OPERATING SURPLUS/(DEFICIT) FOR THE YEAR | | <u>-</u> | <u>-</u> |

The accompanying notes form part of these financials accounts.

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION
VICTORIA BRANCH**

**STATEMENT OF FINANCIAL POSITION
AS AT 30TH JUNE, 2019**

| | NOTE | 2019 \$ | 2018 \$ |
|---------------------------------------|------|--------------|--------------|
| CURRENT ASSETS | | | |
| Receivables | | <u>1,714</u> | <u>1,714</u> |
| TOTAL CURRENT ASSETS | | <u>1,714</u> | <u>1,714</u> |
| TOTAL ASSETS | | <u>1,714</u> | <u>1,714</u> |
| CURRENT LIABILITIES | | | |
| Creditors and Borrowings – Audit fees | | <u>1,650</u> | <u>1,650</u> |
| TOTAL CURRENT LIABILITIES | | <u>1,650</u> | <u>1,650</u> |
| TOTAL LIABILITIES | | <u>1,650</u> | <u>1,650</u> |
| NET ASSETS | | <u>64</u> | <u>64</u> |
| SHAREHOLDERS EQUITY | | | |
| Accumulated Surplus | | <u>64</u> | <u>64</u> |
| TOTAL SHAREHOLDERS EQUITY | | <u>64</u> | <u>64</u> |

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, 2019**

| | \$ |
|--|-----------|
| Accumulated Surplus/(Deficit) 1 July 2013 | 64 |
| Profit attributable to members | - |
| Balance as of 30 June 2015 | 64 |
| Profit attributable to members | - |
| Balance as of 30 June 2016 | 64 |
| Profit attributable to members | - |
| Balance as of 30 June 2017 | <u>64</u> |
| Profit attributable to members | - |
| Balance as of 30 June 2018 | <u>64</u> |
| Profit attributable to members | - |
| Balance as of 30 June 2019 | <u>64</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, 2019

| | 2019 | 2018 |
|--|-----------------------|-----------------------|
| | \$ | |
| CASH FLOWS FROM OPERATING ACTIVITIES | | |
| Receipts from members | 23,650 | 23,650 |
| Payments to suppliers | <u>(23,650)</u> | <u>(23,650)</u> |
| NET CASH FLOW FROM OPERATING ACTIVITIES | - | - |
| NET INCREASE (DECREASE) IN CASH HELD | - | - |
| CASH AT BEGINNING OF THE FINANCIAL YEAR | - | - |
| CASH AT END OF THE FINANCIAL YEAR | - | - |
| a) Reconciliation of Cash | <u> </u> | <u> </u> |
| Cash at Bank | <u> </u> | <u> </u> |

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 30TH JUNE, 2018

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 and Interpretations issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period and the Fair Work (Registered Organisations) Act 2009. For the purpose of preparing the general purpose financial statements the Organisation is a not for profit entity.

The financial statements have been prepared on an accrual basis and in accordance with the historical cost, except for certain assets and liabilities measured at fair value, as explained in the accounting policies below. Historical cost is generally based on the fair values of the consideration given in exchange for assets. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position. The financial statements are presented in Australian dollars.

Significant Accounting Judgments and Estimates

No accounting assumptions or estimates have been identified that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next reporting period.

New Australian Accounting Standards

Adoption of New Australian Accounting Standard Requirements

No accounting standard has been adopted earlier than the application date stated in the standard.

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

Future Australian Accounting Standards Requirements

No new standards, amendments to standards or interpretations that were issued prior to the sign-off date and are applicable to the future reporting period are expected to have a future financial impact on the organisation.

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION
VICTORIA BRANCH**

**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
AS AT 30TH JUNE, 2018**

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (cont.)

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.

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.

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION
VICTORIA BRANCH**

**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
AS AT 30TH JUNE, 2018**

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (cont.)

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.

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

In accordance with Regulation 16 of the Reporting Guidelines (Fair Work (Registered Organisations) Regulations 2009), the organisation declares that it has not received any of the following revenue streams during the 2018 and 2019 financial years;

- Capitation fees
- Compulsory levies or voluntary contributions
- Donations or grants
- Financial support from another reporting unit

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

Expenditure

In accordance with Regulation 18 of the Reporting Guidelines the organisation declares that it has not incurred any of the following expenses during the 2018 and 2019 financial years;

- Costs of employers making payroll deductions of members subscriptions
- Fees or subscriptions for affiliation with any political party, federation, congress, councilor group of organisations or any international body with an interest in industrial affairs
- Compulsory levies
- Grants or donations
- Employee expenses to office holders or employees as there were no employees during the reporting period

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION
VICTORIA BRANCH**

**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
AS AT 30TH JUNE, 2018**

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (cont.)

- Fees or allowances paid to persons for conference attendances
- Expenses incurred for holding meetings of members or any conferences/meetings for which the organisation was wholly or partially responsible
- Legal expenses or other litigation expenses arising from litigation or any other matter
- Penalties imposed under the R.O. Act with respect to the conduct of the reporting unit.

Liabilities

In accordance with Regulation 21 of the Reporting Guidelines the organisation declares that it has not incurred any liabilities for the 2018 and 2019 financial years for the following;

- Amounts payable for costs of employers making payroll deductions of members' subscriptions
- Amounts payable for legal costs
- Provision for employee entitlements to office holders or employees as there were no employees during the reporting period

Related Reporting Units

The organisation is a State Branch that provides financial support via affiliation fees to its National body.

The organisation does not rely on the financial support of any other reporting organisation.

As of 30 June 2019 the organisation had no amounts receivable from or no amounts payable to another reporting organisation.

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.

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION
VICTORIA BRANCH**

**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
AS AT 30TH JUNE, 2018**

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (cont.)

Grants and Donations

| | 2019 | 2018 |
|--------------------------------------|-------------|-------------|
| Grants: | | |
| Total paid that were \$1,000 or less | - | - |
| Total paid that exceeded \$1,000 | - | - |
| Donations: | | |
| Total paid that were \$1,000 or less | - | - |
| Total paid that exceeded \$1,000 | - | - |
| Total grants or donations | - | - |

**AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION
VICTORIA BRANCH**

**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
AS AT 30TH JUNE, 2019**

**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, 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).

The Registered Office of the Organisation is:-
Level 1
Mirrat House
46 Kooringa Way
Port Melbourne 3207, Victoria

Australian Road Transport Industrial Organisation, Vic Branch

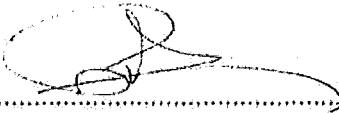
REPORT REQUIRED UNDER SUBSECTION 255(2A)

for the year ended 30 June 2019

The Committee of Management presents the expenditure report¹ as required under subsection 255(2A) on the Reporting Unit for the year ended 30 June 2019.

Descriptive form

| Categories of expenditures | 2019 \$ | 2018 \$ |
|--|--------------------|--------------------|
| Remuneration and other employment-related costs and expenses - employees | Nil | nil |
| Advertising | Nil | nil |
| Operating costs | 23,650 | 23,650 |
| Donations to political parties | Nil | nil |
| Legal costs | Nil | nil |

Signature of designated officer: 

Name and title of designated officer: **Peter Anderson, Secretary/Treasurer**

26 November 2019

¹ Subsection 255(2A) provides a discretion to the reporting unit about how to report the required information. It is a matter for the reporting unit to determine whether the required information is presented in diagrammatic form such as, for example, a pie chart or whether it is reported in a descriptive form. Regardless, the reporting unit is only required to report the information in one format.

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

OPERATING REPORT FOR THE YEAR ENDED 30 JUNE 2019

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 Branch'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 Branch.

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

The following officer of the Branch held a reserved position in the following entity:

Peter Anderson in TWUSUPER

Number of Members

The number of persons who, at the end of the financial year, were recorded on the Register of Members was 176.

Rights of Members to Resign

Any member has the right to resign from Branch 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 sub-rule (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

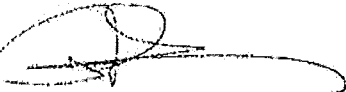
The Branch has no employees and services are provided through an external consultant to the equivalent of 0.25 of a full time equivalent employee.

Members of Committee of Management

The persons who held office as members of the Committee of Management of the Branch at the beginning of the financial year and throughout that year were:

Cameron Dunn, President
Bruce Forsyth, Vice President
Paul Freestone, Vice President – resigned 7 February 2019
Peter Anderson, Secretary/Treasurer
Brendan Hopley, Committee Member – elected as Vice President on 7 February 2019
Darren Jones, Committee Member
Andrew Eastick – elected 7 February 2019

During the 18/19 year the 4 yearly elections were conducted under ARTIO's Rules - E2018/194



Peter Anderson
Secretary/Treasurer
Date: 26 November 2019


Committee of Management Statement

On 17 September, 2018 the Committee of Management of the Australian Road Transport Industrial Organization Vic Branch, passed the following resolution in relation to the general purpose financial report (GPFR) of the Branch as a reporting unit for the financial year ended 30 June 2019:

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 any other requirements imposed by the Reporting Guidelines or Part 3 of Chapter 8 of the *Fair Work (Registered Organisations) Act 2009* (the RO Act);
- (c) the financial statements and notes give a true and fair view of the financial performance, financial position and cash flows of the Branch 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) Act 2009 ("RO Act"); and
 - (iv) 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 the Commissioner was made under section 272 of the RO Act; and
 - (vi) there has been no order for inspection of financial records made by FWC under s. 273 of the RO Act;
- (f) the Branch was not engaged in recovery of wages activity which has resulted in the derivation of revenue in respect of such activity.

For Committee of Management: *Peter Anderson*
Secretary/Treasurer, ARTIO, Vic Branch

Signature: 

Date: 26 November 2019

Australian Road Transport Industrial Organisation – Vic Branch

Independent auditor's report to members

Report on the Audit of the Financial Statements

Opinion

We have audited the financial report of Australian Transport Road Industrial Organisation – Vic Branch (the Registered Organisation), which comprises the statement of financial position as at 30 June 2019, the statement of profit or loss and other comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies, and committee of management statement. The Financial report also includes the Report required under Subsection 255(2A) of the Fair Work (Registered Organisations) Act 2009.

In our opinion the accompanying financial report presents fairly, in all material aspects, the financial position of Australian Transport Road Industrial Organisation – Vic Branch as at 30 June 2019, and its financial performance and its cash flows for the year ended on that date in accordance with:

- a) the Australian Accounting Standards; and
- b) any other requirements imposed by the Reporting Guidelines or Part 3 of Chapter 8 of the Fair Work (Registered Organisations) Act 2009 (the RO Act).

We have concluded that the Committee of Management's use of the going concern basis of accounting in the preparation of the financial statements for the year ended 30 June 2019 is appropriate.

Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Report section of our report. We are independent of the Registered Organisation in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 Code of Ethics for Professional Accountants (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

ACCOUNTANTS & ADVISORS
Level 20, 181 William Street
Melbourne VIC 3000
Telephone: +61 3 9824 8555
williambuck.com

Information Other than the Financial Report and Auditor's Report Thereon

The Committee of Management are responsible for the other information. The other information obtained at the date of this auditor's report is in the Operating Report accompanying the financial report.

Our opinion on the financial report does not cover the other information and accordingly we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial report, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial report or our knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Responsibilities of Committee of Management and Those Charged with Governance for the Financial Report

The Committee of Management of the Registered Organisation is responsible for the preparation of the financial report that gives a true and fair view in accordance with Australian Accounting Standards and the RO Act, and for such internal control as the Committee of Management determine is necessary to enable the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the Committee of Management is responsible for assessing the Registered Organisation's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the Committee of Management either intends to liquidate the Registered Organisation or to cease operations, or has no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objective is to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with the Australian Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Registered Organisation's internal control.

- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Committee of Management.
- Conclude on the appropriateness of the Committee of Management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Registered Organisation's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Registered Organisation to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation
- Obtain sufficient appropriate audit evidence regarding the financial information of the entities or business activities within the Registered Organisation to express an opinion on the financial report. We are responsible for the direction, supervision and performance of the Registered Organisation audit. We remain solely responsible for our audit opinion.

We communicate with the Committee of Management regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

I declare that I am an approved auditor, a member of CPA Australia and hold a current Public Practice Certificate.

Report on the Recovery of Wages Activity financial report

Opinion on the recovery of wages activity financial report

The Registered Organisation has not undertaken any recovery of wages activity during the reporting period as stated in section (f) of the committee of management statement. Therefore, no opinion can be provided in relation to recovery of wages activity.

A handwritten signature in black ink, appearing to read 'William Buck'.

WILLIAM BUCK AUDIT (VIC) PTY LTD
ABN 59 116 151 136

A handwritten signature in black ink, appearing to read 'A.P. Marks'.

A.P Marks
Director

Dated: Melbourne 29th November 2019

Registration number: AA2017/190



2 July 2019

Peter Anderson
National & Vic Secretary/Treasurer
Australian Road Transport Industrial Organization-Victoria Branch
Sent via email: reception@vta.com.au

Dear Peter Anderson,

**Re: Lodgement of Financial Report - FR2019/164
*Fair Work (Registered Organisations) Act 2009 (the RO Act)***

The financial year of the Australian Road Transport Industrial Organization-Victoria Branch (the reporting unit) ended on 30 June 2019. This is a courtesy letter to remind you of the reporting unit's obligations regarding financial reporting.

Loans Grants and Donations Statement

The reporting unit is required to lodge a statement showing the relevant particulars in relation to each loan, grant or donation of an amount exceeding \$1,000 for the reporting unit during its financial year. Section 237 of the RO Act requires this statement to be lodged with the Registered Organisations Commission (the ROC) within 90 days of the end of the reporting unit's financial year, that is on or before 28 September 2019.

The attached fact sheet *Loans Grants and Donations (FS 009)* summarises the requirements of the Loans Grants and Donations Statement. A sample statement of loans, grants or donations is available on our [website](#).

It should be noted that s.237 is a civil penalty provision. If a loan, grant or donation over \$1000 has been made, failure to lodge a statement of loans, grants and donations (including failure to lodge on time) may result in legal proceedings being issued with the possibility of a pecuniary penalty (up to \$105,000 for each contravention for a body corporate and up to \$21,000 for each contravention for an individual) being imposed upon your organisation and/or an officer whose conduct led to the contravention.

Financial report

The RO Act sets out a particular chronological order in which your financial report must be prepared, audited, provided to members, presented to a meeting and then lodged with the ROC. The attached document *Summary of Financial Reporting timelines (FS 008)* summarises these requirements.

We emphasise that the reporting unit is required to present its audited financial report to a meeting (either of members or of the committee of management, depending on your rules) no later than 31 December 2019 (s.266). The full financial report must be lodged with the ROC within 14 days of that meeting (s.268).

When assessing your financial report, we will continue to focus closely on timelines as well as how loans, grants and donations are reported. The financial report must break down the amounts of grants and donations and these figures will be compared to the loans, grants and donations statement (see attached *Loans Grants and Donations* fact sheet FS 009).

You can visit our website for more information regarding [financial reporting](#), and fact sheets regarding [financial reporting processes and requirements](#). A model set of financial statements developed by the ROC is also available on our website. It is not obligatory to use this model but it is a useful resource to ensure compliance with the RO Act, the Reporting Guidelines and the Australian Accounting Standards.

It should be noted that s.268 of the RO Act is a civil penalty provision. Failure to lodge the full financial report (including failure to lodge on time) may result in legal proceedings being issued with the possibility of a pecuniary penalty (up to \$105,000 for each contravention for a body corporate and up to \$21,000 for each contravention for an individual) being imposed upon your organisation and/or an officer whose conduct led to the contravention (s.268).

Auditor's report

When assessing the financial report we will also focus on the structure and content of the auditor's report to ensure that it complies with the revisions made to the Auditing Standards which came into effect from 15 December 2016. Please find [here](#) a link to guidance note *Illustrative Auditor's Report* (GN 004) relating to these requirements (which can also be located on our website).

REMINDER

YOUR AUDITOR MUST BE REGISTERED (s.256)

You must ensure that your auditor is registered by the Registered Organisations Commissioner. A list of registered auditors is available on our [website](#).

Contact

Should you require any clarification in relation to the above, please email regorgs@roc.gov.au.

Yours faithfully,

Kylie Ngo
Registered Organisations Commission

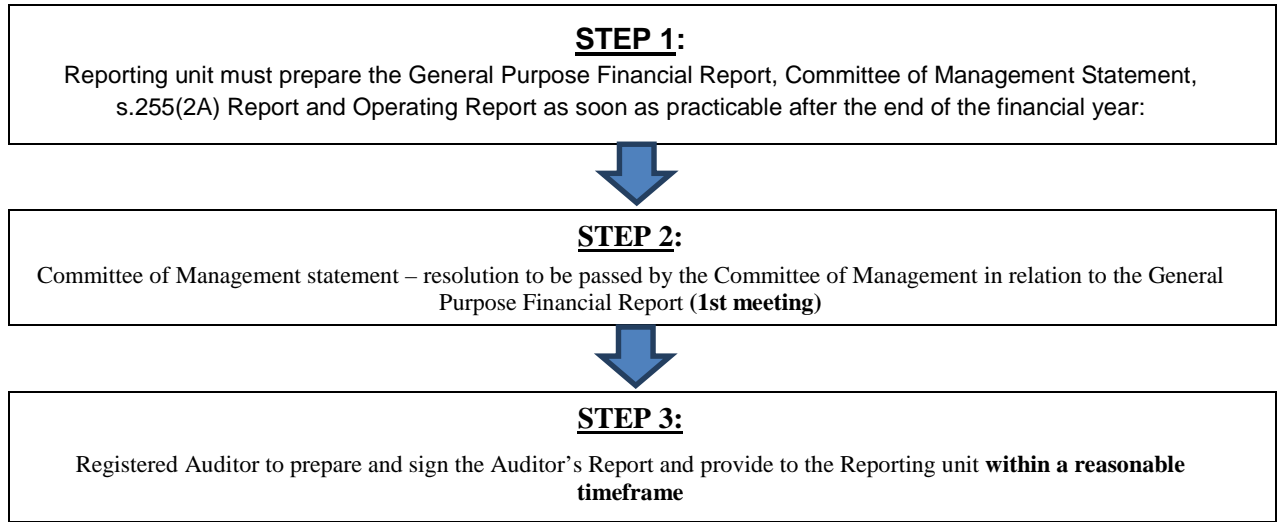


Fact sheet

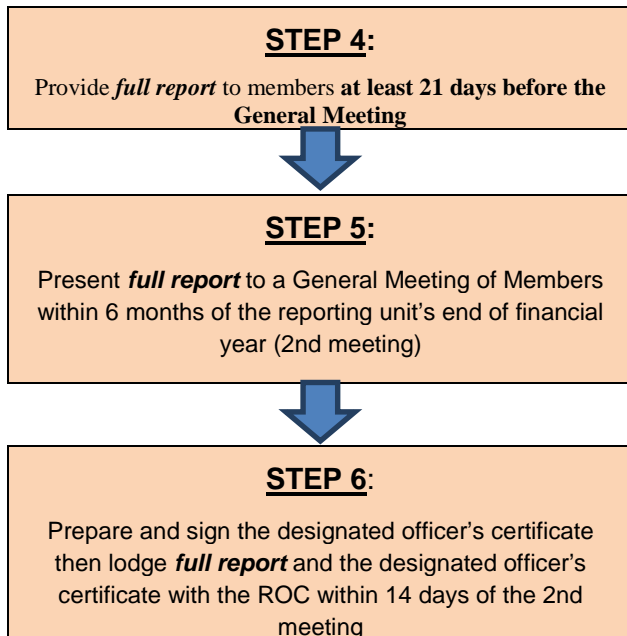
Summary of financial reporting timelines – s.253 financial reports

General Information:

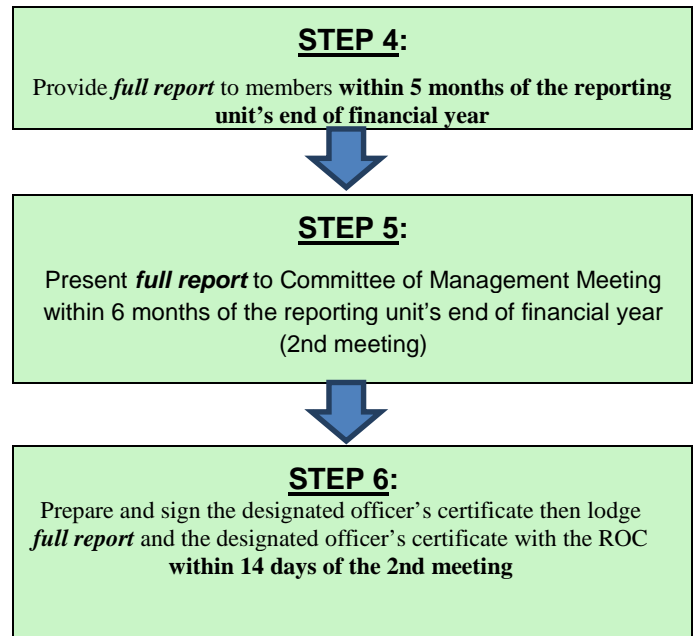
- The **full report** consists of the General Purpose Financial Report, Committee of Management Statement, Operating report, s.255(2A) Report and signed Auditors' Report
- For an explanation of each of the steps below see our [Fact sheet—financial reporting process](#).



IF RULES PROVIDE FOR PRESENTATION OF FULL REPORT AT GENERAL MEETING OF MEMBERS
(this is the default process in the RO Act)





















IF RULES PROVIDE FOR PRESENTATION OF FULL REPORT AT COMMITTEE OF MANAGEMENT MEETING
(Special rules must be in the rulebook to use this process)



Misconceptions

Over the years, staff of the Commission have noted that there are some common misunderstandings made in relation to the Financial Reporting Process. They include:

| Misconception | Requirement |
|---|---|
| <p> The Committee of Management statement is just copied from the Reporting Guidelines</p> | <p> The Committee of Management statement must have the date of the Committee of Management resolution recorded upon it and it must be signed and dated BEFORE the auditor signs their report</p> <p>Further, if any of the statements within it need to be modified to suit the reporting unit (for instance not holding meetings) these changes must also be made</p> |
| <p> The Auditor's Report does not need to be signed until just before it is lodged with the ROC</p> | <p> The Auditor's Report must be signed and dated BEFORE the full report (including the Auditor's Report) is sent to members and presented to the second meeting</p> |
| <p> The Designated Officer's Certificate must be signed before the report is sent to members</p> | <p> The Designated Officer's Certificate declares what the reporting unit HAS ALREADY DONE to provide the report to members and present it to the meeting. It must be signed and dated AFTER sending the report to members and the second meeting</p> |
| <p> Documents can be dated when they should have been signed or when the events in the document occurred</p> | <p> Documents must always be dated at the date they are actually signed by an officer or auditor</p> |
| <p> Any auditor can audit a financial report</p> | <p> Only registered auditors can audit the financial report</p> |
| <p> The Committee of Management statement can be signed at any time</p> | <p> The resolution passing the Committee of Management Statement must occur and the statement signed and dated BEFORE the auditor's report is signed and dated</p> |
| <p> Any reporting unit can present the Full Report to a second COM meeting</p> | <p> Only reporting units with a 5% rule in their rulebook are able to present their report to a second Committee of Management Meeting. Otherwise, it must be presented to a General Meeting of members</p> |
| <p> Everything can be done at one Committee of Management meeting</p> | <p> If the rules allow for presenting the report to the Committee of Management, there must still be <u>two meetings</u>. The first meeting resolves the Committee of Management statement (including signing and dating it). Between the two meetings the Auditor's report is signed and dated. Only then can the full report be presented to the second Committee of Management meeting (if the rules allow)</p> |
| <p> The reporting unit has 6 months and 14 days to lodge their financial report with the ROC</p> | <p> The reporting unit must lodge the financial report within 14 days of the second meeting</p> |

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This fact sheet is not intended to be comprehensive. It is designed to assist in gaining an understanding of the Registered Organisations Commission and its work. The Registered Organisations Commission does not provide legal advice.



Fact sheet

Loans, Grants & Donations

The Loans, Grants & Donations Requirements

The *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires an organisation or branch to lodge a loans, grants and donations statement (the statement) within **90 days** of the ending of the financial year.

Under the Commissioner's Reporting Guidelines, a reporting unit's General Purpose Financial Report (the financial report) must break down the amounts of grants and donations (see below). The figures in the financial report will be compared to the loans, grants and donations statement.

The Loans, Grants & Donations Statement

Section 237 of the RO Act applies to every loan, grant and donation made by an organisation or branch during the financial year that exceeds \$1000. The following information must be supplied to the Registered Organisations Commission (the ROC) for each relevant loan, grant or donation:

- the amount,
- the purpose,
- the security (if it is a loan),
- the name and address of the person to whom it was made,* and
- the arrangements for repaying the loan.*

*The last two items are not required if the loan, grant or donation was made to relieve a member of the organisation (or their dependent) from severe financial hardship.

The statement must be lodged within 90 days of the end of the financial year and the ROC has a [Template Loans, Grants and Donations Statement](#) on its website. The ROC encourages branches and organisations to lodge the statement even if all of the figures are NIL.

Common misconceptions

Over the years, staff of the Commission have noted that there are some common misunderstandings made in relation to the Statement. They include:

| Misconception | Requirement |
|---|--|
| ✘ Only reporting units must lodge the Statement. | ✔ All branches and organisations, regardless of whether they lodge a financial report, must lodge the statement within 90 days of the end of the financial year. An organisation cannot lodge a single statement to cover all of its branches. |
| ✘ Employees can sign the Statement. | ✔ The statement must be signed by an elected officer of the relevant branch. |
| ✘ Statements can be lodged with the financial report. | ✔ The deadline for the statement is much shorter (90 days) and if it is lodged with the financial report it is likely to be late. |

Grants & Donations within the Financial Report

Item 14(e) of the Commissioner's Reporting Guidelines requires the reporting unit to separate the line items relating to grants and donations into grants or donations that were \$1000 or less and those that exceeded \$1000.

As such, the note in the financial report relating to grants and donations will have four lines.

In the [ROC's Model Statements](#) the note appears as follows:

Note 4E: Grants or donations*

| | | |
|--|-------------|----------|
| Grants: | 2017 | 2016 |
| Total expensed that were \$1,000 or less | - | - |
| Total expensed that exceeded \$1,000 | - | - |
| Donations: | | |
| Total expensed that were \$1,000 or less | - | - |
| Total expensed that exceeded \$1,000 | - | - |
| Total grants or donations | - | - |

The Commissioner's Reporting Guidelines requires that these line items appear in the financial statements, the notes or in the officer's declaration statement, even if the figures are NIL.

Implications for filing the Financial Report

During their review of the financial report staff of the ROC may confirm that the figures in the financial report match the disclosures made in the statement. Any inconsistencies in these figures will be raised with the organisation or branch for explanation and action.

This may involve lodging an amended loans, grants or donations statement. Any failure to lodge a loans, grants or donations statement or lodging a statement that is false or misleading can attract civil penalties under the RO Act.

If a reporting unit did not fully comply with these requirements in their last financial report, its filing letter will have included a statement reminding the reporting unit of its obligations.

It is strongly recommended that all reporting units review their filing letters from the previous financial year to ensure any targeted concerns are addressed in their latest financial report. Failure to address these individual concerns may mean that a financial report cannot be filed.

Previous financial reports and filing letters are available from the website.

Further information

If you have any further questions relating to the loan, grant and donation disclosure requirements in the statement or the financial report, please contact the ROC on regorgs@roc.gov.au