



Ref: FR2004/680-[105N-NEST]

Ms Lorraine Usher
District Secretary
CFMEU Mining & Energy Division
NSW Energy District
PO Box Q1641
QVB Post Office
SYDNEY NSW 1230

Dear Ms Usher

Financial Return - year ending 31 December, 2004

Our records show your organisation's financial year ended recently. This letter outlines some of the things you must do to meet your financial reporting obligations and when you have to do them. For simplicity, we will call the documents you have to lodge with us your *financial return*.

New legislation

This letter is intended as guide to the law applicable on the date of this letter and should not be used as a substitute for legal or accounting advice. We only summarise some of the reporting requirements in this letter. More detailed information is at the end of this letter.

The legislation has changed since your last return. In May 2003 the Industrial Registrar wrote to all organisations forwarding a number of facts sheets outlining the major changes made by Schedule 1B of the Workplace Relations Act 1996 ('RAO'¹). While the immediate changes affected the rules and elections in organisations, the changes affecting financial returns involve a longer lead time.

The key differences under the new legislation affecting financial returns are:

- a reduced financial reporting cycle (now maximum periods of 5 or 6 months depending on internal arrangements of organisation)
- a greater emphasis given to Australian Accounting Standards
- the introduction of a new report, known as an Operating Report (broadly similar in concept to a Director's Report under the corporations legislation)
- extensions of time are limited to one month
- restructured penalty provisions involving more extensive use of Civil Penalties
- the introduction of the Industrial Registrar's Reporting Guidelines
- organisations and their branches to report according to their financial structures, known as 'reporting units'.

We recommend you discuss the new requirements with your accountant or auditor.

¹ Registration and Accountability of Organisations Schedule (RAO) (Schedule 1B to the *Workplace Relations Act 1996*)

Reporting Unit

One of the new concepts of the RAO legislation is that reporting entities are known as “*reporting units*”. Where an organisation is **not** divided into branches the reporting unit is the whole of the organisation. Where an organisation is divided into branches each branch will be a reporting unit unless the Industrial Registrar has determined a division of the organisation into reporting units on an alternative basis. We can discuss this with you if you need more information.

For simplicity, we will refer to your organisation as a reporting unit in this letter.

Industrial Registrar’s Guidelines

The Industrial Registrar’s reporting guidelines set out certain disclosure requirements in addition to those prescribed by Australian Accounting Standards having in mind the nature of organisations registered under the Workplace Relations Act.

The disclosure requirements prescribed by the reporting guidelines are directed towards providing members of the 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 financial report about the reporting unit’s economic support of, or economic dependency on, other reporting units of the organisation.

Timeline Planner and Checklist

We have attached a Timeline/Planner (*Attachment A*) to help you **plan** your financial return and carry out all the necessary steps. We have also attached a Document Checklist (*Attachment B*) to **check** your documents before lodging them in the Registry. Both documents are abbreviated summaries of the relevant provisions of the RAO Schedule, RAO Regulations and the Industrial Registrar’s Reporting Guidelines.

In the following section we describe some of the documents your reporting unit must prepare and the sequence of their preparation and completion.

Three Reports

Your reporting unit must prepare two reports as soon as practicable after its financial year, which, together with the Auditor’s Report, comprise the reporting unit’s financial return.

1. **General Purpose Financial Report** - this must comply with the Australian Accounting Standards and the Industrial Registrar’s Reporting Guidelines. The GPFR consists of:

Financial Statements containing:

- a profit and loss statement, or other operating statement; and
- a balance sheet; and
- a statement of cash flows; and
- any other statements required by the Australian Accounting Standards; and

Notes to the Financial Statements containing:

- notes required by the Australian Accounting Standards; and
- information required by the Industrial Registrar's *Reporting Guidelines* under section 255); and

Committee of Management Statement as required by the Registrar's Reporting Guidelines (a sample certificate for illustrative purposes is at Attachment C)

2. **Operating Report** - this report includes a review of your reporting unit's principal activities for the year and other specified information.

Your reporting unit must appoint an auditor to audit the GPFR and to provide:

3. an **Auditor's Report**.

First Meeting (Committee of Management)

For simplicity, we will call the meeting at which the committee of management first considers the GPFR the first meeting. At the first meeting your committee, if satisfied that all is in order, will resolve to express its opinion on the GPFR and complete a Committee of Management Statement.

The Auditor

After the first meeting, the auditor takes the GPFR and the Committee of Management Statement and prepares a report on the GPFR. In practice, your auditor may have already completed most of his or her examination of your accounts. The auditor may only be waiting on the Committee to pass the required resolution and make the Statement before signing the report the same day.

Informing Your Members

Your reporting unit must provide free of charge to the general membership, copies of the GPFR, the Operating Report and the Auditor's Report. RAO calls these the "full report". Under certain circumstances, your reporting unit can provide a more limited *concise report*.

The reporting unit can meet its obligation to provide copies of the full or concise report to members by publishing the report in a journal that is available to the members free of charge.

A reporting unit may meet this obligation in whole or in part by publication of the report in a journal published on a web site on the Internet dependent on:

- a. the extent of the accessibility of the members of the reporting unit to the Internet; and
- b. that the members are notified by the reporting unit in the usual manner in which it communicates with its members that the report has been so published at a specified Internet address.

The report must be provided within 5 or 6 months from the end of the financial year, depending on the internal arrangements of the organisation for the presentation of its financial reports.

The Second Meeting - if it is a General Meeting of Members

After providing the full report to members it must be presented to a general meeting of members. For simplicity this is referred to as the *second meeting*.

Your reporting unit must always allow a minimum of 21 days for members to receive the full report before presenting it to a general meeting of members (s265(5)). The purpose of the interval and the second meeting is to enable the members to have time to consider the report and, if they wish, to attend the second meeting to discuss it.

If the rules of the organisation permit a general meeting to be a series of meetings held at different locations, the full report may be presented to such a series of meetings. In this case the 'date' of the general meeting is taken to be the date of the last meeting in the series (see s266(2)).

The Second Meeting - if it is a Committee of Management Meeting

If the rules of your organisation contain a provision that allows up to 5% of members to demand a general meeting to be held consider the report (see s266(3)), it is permissible to present the report directly to a Committee of Management meeting.

Lodge full report within 14 days of meeting

You must lodge a copy of the full report and any concise report in the Industrial Registry within 14 days of the second meeting. For your convenience you are encouraged to lodge the material electronically (see eFiling Tab at www.airc.gov.au). When lodging the financial return please quote: **FR2004/680**.

The Secretary (or another officer appropriately authorised under the rules of the organisation) must *certify* that the full report is a copy of the one provided to members and presented to the second meeting and provide the date of the meeting (a sample certification for illustrative purposes is at *Attachment D*).

When we receive your return we will check that it includes the information you must provide your members and that you have provided it to them correctly.

Complying with time limits

This letter has outlined some of the steps in preparing and lodging your return. Many of the steps must be completed within fixed time limits.

Failure to complete them in time could make your reporting unit or its officers liable to financial or "civil penalties".

Extensions of Time

We appreciate that sometimes circumstances beyond your reporting unit's control may delay completion of a financial return. If you believe your reporting unit is going to be unable to meet a time limit tell us as soon as you know. We can advise you if the step is one for which you may apply under RAO to the Industrial Registrar for extra time to complete. The maximum extra time allowed can be no more than one month.

Reduced Reporting Requirements

If your reporting unit meets certain conditions, some of these reporting requirements can be reduced. Such conditions might be where the annual income of the reporting unit (where the reporting unit is the whole of the organisation) is less than \$100,000, or where the reporting unit has no financial affairs in the financial year, or where the financial affairs of the reporting unit are encompassed by the financial affairs of its counterpart State industrial association.

Contact the Registry

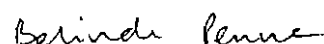
We encourage you to contact the Registry on (02) 8374 6666 or by e-mail at peter.mckerrrow@air.gov.au or belinda.penna@air.gov.au as early as possible if you believe preparation or lodgment of your return will be delayed or if you have any queries. We can offer you advice on procedure but we cannot give you legal or accounting advice.

Information on AIRC Website

We recommend you and your accountant/auditor refer to the following documents on the Commission's website at www.airc.gov.au:

- [RAO Schedule and RAO Regulations](#)
- [Registrar's Reporting Guidelines](#) - All GPFR's must comply with these Guidelines. Please note that the Guidelines set out requirements that are *in addition* to those required by the Australian Accounting Standards.
- [RAO Fact Sheets](#) - These Fact Sheets explain the new requirements of the RAO Schedule - many of them deal with financial reporting matters.

Yours sincerely



for Deputy Industrial Registrar
19 January 2005

Attachment B

Documents Checklist

You can use this checklist as soon as possible after the financial year ends to ensure you have all the necessary documents prepared and that those documents contain all information required by RAO.

You can also use this checklist to ensure all documents in your financial return are complete before lodging them in the Registry.

No	Document	✓
1	General Purpose Financial Report	
	Does the report contain a Profit and Loss Statement?	
	Does the report contain a Balance Sheet?	
	Does the report contain a Statement of Cash Flows?	
	Does the report contain notes to the financial statements as required by AAS and the reporting guidelines?	
	Does the report contain all other information required by the reporting guidelines?	
2	Committee of Management Statement	
	Is the statement signed by the officer responsible for undertaking functions necessary to enable the reporting unit to comply with RAO?	
	Is the statement dated?	
	Is the statement in accordance with a resolution of the committee?	
	Does the statement specify the date of the resolution?	
	Does the statement contain declarations required by the reporting guidelines?	
3	Auditor's Report	
	Is the Report dated and signed by the auditor?	
	Is the name of the auditor clear?	
	Are the qualifications of the auditor on the report?	
	Has the auditor expressed an opinion on all matters required?	
4	Operating Report	
	Is the report signed and dated?	
	Does the report provide the number of members?	
	Does the report provide the number of employees?	
	Does the report contain a review of principal activities?	
	Does the report give details of significant changes?	
	Does the report give details of right of members to resign?	
	Does the report give details of superannuation trustees?	
Does the report give details of membership of the committee of management?		
5	Concise report*	
6	Certificate of Secretary or other Authorised Officer	
	Is the certificate signed and dated?	
	Is the signatory the secretary or another officer authorised to sign the certificate?	
	Is the date that the report was provided to members stated?	
	Is the date of the Second Meeting at which the report was presented stated?	
	Does the certificate state that the documents are copies of those provided to members?	
Does the certificate state that the documents are copies of those presented to the Second Meeting?		

* This is an optional way of providing documents to members (see RAO s265(3) and RAO Reg. 161).

Committee Of Management Statement

On *[date of meeting]* the Committee of Management of *[name of reporting unit]* passed the following resolution in relation to the general purpose financial report (GPFR) of the reporting unit for the financial year ended *[date]*:

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) 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.

For Committee of Management: *[name of designated officer per section 243 of the RAO Schedule]*

Title of Office held:

Signature:

Date:

* Where compliance or full compliance has not been attained - set out details of non compliance instead.

Where not relevant these may be modified accordingly (e.g. in (vi) "No orders have been made by the Commission under section 273 of the RAO Schedule during the period."

Certificate of Secretary or other Authorised Officer¹

s268 of Schedule 1B *Workplace Relations Act 1996*

I [name] being the [title of office] of the [name of the organisation] certify:

- that the documents lodged herewith are copies of the full report, [and the concise report]², referred to in s268 of the RAO Schedule; and
- that the [full report **OR** concise report]³, was provided to members on [insert date]; and
- that the full report was presented to [a general meeting of members **OR** the last of a series of general meetings of members **OR** a meeting of the committee of management]³ of the reporting unit on [insert date]; in accordance with section 266 of the RAO Schedule.

Signature

Date:

¹RAO 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.

²Only applicable where a concise report is provided to members

³Insert whichever is applicable

DALEY

CO.

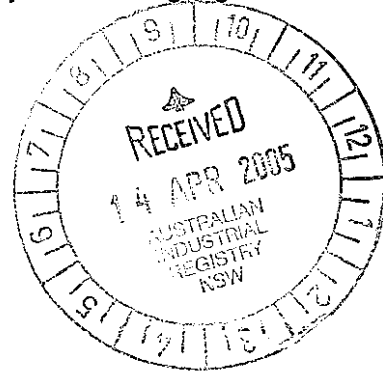
C H A R T E R E D

A C C O U N T A N T S

12 April 2005

Our Ref: MQ/BJ:0405/01060150
Reply To: Wollongong

Peter McKerrow
Australian Industrial Registrar
Level 8, Terrace Towers
80 William Street
East Sydney NSW 2011



Dear Sir,

RE: 2004 FINANCIAL REPORTING REQUIREMENTS

We refer to our discussions with you 7 April 2005 regarding the various changes that have occurred by virtue of Schedule 1B 'Registration and Accountability of Organisations' [RAO Schedule] of the Workplace Relations Act 1996.

We write to you to specifically review the intended reporting process to members to be instigated by the CFMEU – Mining & Energy Division, NSW Energy District.

The purpose of this letter is to advise you of the approach and to obtain the Registrar's view as to whether or not the Union is satisfying its reporting to members and the general meeting requirements.

Our Understanding

As soon as practicable after the financial year, the Union must prepare a General Purpose Financial Report (GPFR), an Operating Report and an Auditors Report.

The Committee of Management meets to consider and if thought fit pass a resolution resolving to express an opinion on the GPFR and then issues a 'Committee of Management Statement.' [First Meeting]

Under section 265(1) the Union is required to provide the report to its members free of charge.

Under section 266 the Union needs to present the full report to a general meeting. Under section 266(2), where the rules provide for a general meeting to be a series of meetings at different locations (ie. Lodge meetings) the presenting of the full report to such a series of meetings is taken to be the presenting of the report to a general meeting of members.

Under section 268 the Union, within 14 days of the general meeting, is required to lodge the full report with the Registrar.

We note that the Union rules do not appear to contain a 5% member rule for the convening of general meetings.

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CONSULTANT
DAVID DALEY

The Unions' Intended Approach

The Annual Board [first meeting] has already been held with the GPFR, Operating Report and Auditors Report and Committee of Management Statement being signed and a resolution endorsed by the COM to this affect.

The Union, as part of its normal reporting procedures, will now distribute the full report to the Lodges of the District via email. The Lodge secretary will make the full report available for the members immediately and will advise of scheduled shift meetings to occur no sooner than 21 days from notice being given.

At the Lodge meeting(s) the members are able to discuss the full report, can ask questions with the meetings concluded with a vote on the resolution of the COM.

This process would be occurring at the various Lodge geographic locations.

The COM collates the voting of all lodges to see if it has majority support. If a clear majority did not endorse the full report a COM meeting would be scheduled to address the concerns of the members.

At a time no later than the 14th day of the last Lodge meeting (in the series of meetings) the Union would lodge the full report with the Registrar. (Where the Union has received a clear majority)

Conclusion

We trust the above details provides you with enough feedback to advise whether the Unions intended approach to reporting to members is suffice. Obviously your quick response would be helpful to ensure compliance with the 30 June deadline for reporting to the Registrar.

We (and our client) look forward to working with you to ensure full compliance with the new RAO requirements.

As always should you have any other questions on the above please do not hesitate to contact our office.

Yours faithfully
DALEY & CO.



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 80 William Street, East Sydney, NSW 2011
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TO	Michael Quin		
Organisation	Daley and Co Chartered Accountants		
Fax Number	4228 5720	Phone Number	
FROM	Peter McKerrow		
Email	peter.mckerrow@air.gov.au		
Location	AIR Sydney		
Fax Number	02 9380 8990	Phone Number	02 8374 6668
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MESSAGE:

Michael
 Please find attached responses to your queries concerning financial reporting requirements of the South Western and NSW Energy District Branches of the CFMEU Mining and Energy Division. My apologies for the delay in replying.

If you have any questions, please contact me on the above number.

As discussed, with your agreement I am providing copies of these letters to the Secretary of the Queensland District Branch.

Regards

Peter McKerrow

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RA: Receive Again	EN: Engaged	RS: Relay Send	RM: Receive to Memory
RB: Relay Broadcast	RV: Remote Service	SA: Send Again	TM: Terminated
RQ: Relay Request	DR: Document Remove		



Australian Government

Australian Industrial Registry

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Messrs Daley & Co
Chartered Accountants
PO Box 333
WOOLONGONG NSW 2520

CFMEU Mining & Energy Division - New South Wales Energy District Branch
Our ref: FR2004/680 - Yr ref: MQ/BJ:0405/01060150

Dear Sirs

I refer to your letter of 12 April 2005 seeking the Registry's view on whether the Branch's proposed methods of providing members with its full report and presenting it to meetings of members would satisfy its financial reporting requirements under Part 3 Chapter 8 of the RAO Schedule.

As you have indicated, the rules of the Branch make no provision of the type described in s266(3) which would enable the Branch to present the full report to a meeting of its committee of management after provision to members.

Therefore the Branch must present the full report to a general meeting of members. This requirement can, under s266(2) also be satisfied by presenting the report to a series of meetings of members at different locations "if the rules of the reporting unit permit" a general meeting to be conducted this way.

I have examined the rules of the New South Wales Energy District Branch to ascertain if they allow for a series of meetings of members and for other relevant matters.

I note that sub-rule 8(ii)(c) provides for the Secretary of the Branch to prepare and present to the committee of management the "balance sheet" of the Branch. Sub-rule 7(v)(g) provides for the Board to "receive and adopt or otherwise deal with the Annual Report" of the Branch.

Sub-rule 7(iv)(a) requires "all business transacted by the Board of Management" to be confirmed in its minutes which "shall be posted to the Lodges of the District Branch". Sub-rule 7(iv)(b) provides for the resolutions of the Board to be submitted to "a meeting of the Lodge membership" and for the recording of the number of members' votes "for and against each Board resolution". A "return of the votes" must be sent to the Branch Secretary within 28 days after the Secretary posted the minutes to the Lodges.

Sub-rule 7(iv)(c) provides for a resolution of the Board to become "binding policy" of the Branch "if an aggregate majority of members of the District Branch attending and voting at Lodge meetings which consider the Board of Management resolutions, vote in favour of the resolution".

Your description of the Branch's intended approach would seem to reflect the process required under rules 7 and 8 of its rules. I also note that sub-rules 11(ii)(f) and (g) require Lodges to meet "at least three times per year" and that "all meetings... shall be convened by Notice" as specified.

It is not clear if the "scheduled shift meetings" to which you refer are synonymous with the "lodge meetings" referred to in Rule 11 of the Branch rules.

While I believe it would be open to the Branch to treat the meetings of the lodges required to be held under sub-rule 11(ii)(f) as "a general meeting of the members" of the Branch, an informal meeting not otherwise provided for in the rules may not necessarily be a "general meeting" if its status is unclear.

You have also indicated that the Branch will ensure the full report is provided to members at least 21 days before the meetings which they attend at which the full report is presented.

I also note that the Branch rules provide in sub-rule 10(vii)(f) that "...the keeping of and presentation of accounts to the Board of Management and to the membership, shall be according to the requirements, forms and procedures of the law affecting the accounting and auditing practices of organisations registered under the provisions of the Workplace Relations Act 1996".

This provision of its rules would appear to require and permit the Branch to adopt financial reporting processes which are consistent with the relevant legislation.

In implementing the Branch's intended approach, it should, as you note ensure that the full report is provided to all members 21 days before the meeting which they attend. The method of provision is a matter for the Branch but its committee of management should note that s265(1) - provision to members - and s265(5) - 21 day period - are civil penalty provisions. Therefore the committee should satisfy itself that its arrangements for distribution to members and presentation to meetings of members will be consistent with these requirements.

Within 14 days of the last of the meetings of members in the series, the Branch Secretary, if satisfied that the full report has been provided to members and presented in accordance with s266, should lodge copies in the Registry with the certificate. A sample form of certificate was attached to the Registry's letter of 19 January 2005.

I should also note that although I have expressed the view that the Branch's intended approach appears consistent with its rules and with the RAO Schedule, a Registrar's views of the meaning of rules or legislation are not conclusive. Only a court can conclusively determine these matters. Therefore, if the Branch committee of management has not already done so, it should consider obtaining its own independent advice on these matters.

To put beyond doubt the Branch's capacity to meet its financial reporting obligations under the RAO Schedule in the manner proposed or otherwise, it or the Division generally, may wish to consider alterations to rules which clearly provide for all relevant matters. It would also be open to the Branch to provide for the matters referred to in s266(3) if it wished.

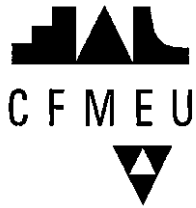
If you have any questions, please contact me or Peter McKerrow on (02) 8374 6666.

Yours sincerely



Barry Jenkins
Deputy Industrial Registrar

10 May 2005



Mining and Energy Division
NSW Energy District

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Phone 02 9267 3812 • Fax 02 9267 3198
email lusher@cfmeu.com.au

President *Allen Drew* • Secretary *Lorraine Usher*

8th June, 2005.

Mr Peter McKerrow
Australian Industrial Registrar
Level 8, Terrace Towers
80 William Street
EAST SYDNEY NSW 2011

Dear Sir,

RE: 2004 FINANCIAL REPORTING REQUIREMENTS

Reference is made to the changes in the new legislation whereby the financial reporting cycle has been reduced to within 6 months of the end of the financial year.

We write seeking an extension of 2 weeks.

Your favourable response in the near future would be appreciated.

Yours sincerely,

for - LORRAINE USHER
State Secretary





Australian Government
Australian Industrial Registry

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Ms Lorraine Usher
State Secretary
CFMEU Mining & Energy Division
NSW Energy District
PO Box Q 1641
QVB POST OFFICE SYDNEY NSW 1230

Dear Ms Usher

Financial Return for year ending 31 December 2004 (FR 2004/680)

I refer to your letter of 8 June 2005.

Before addressing your specific request, it may help if I first explain what power a Registrar has to extend time limits for reporting under sections 265 and 266 of the RAO Schedule.

This will depend on which of the following two reporting options a reporting unit chooses:

s265(5)(a) - presenting full report to members' meeting(s)

The reporting unit provides the full report (or a concise report) to members and after no less than 21 days, presents the full report to a general meeting of members. If you choose this option, the general meeting must be held within 6 months of the end of a financial year.

Power to extend time

Under s265(5), a reporting unit may apply to a Registrar to extend the period during which the general meeting must be held by no more than one month, namely from 6 months to no more than 7 months from the end of a financial year.

Effect of Extending Time by one month

The general meeting must be held with 7 months of the end of the financial year; the full or concise report must still be provided to members at least 21 days before the general meeting.

s265(5)(b) - presenting full report to committee of management meeting

The reporting unit provides the full report (or a concise report) to members and presents the full report to a meeting of its committee of management. If you choose this option, you must provide the report to members within 5 months of the end of the financial year. The committee of management meeting must be held within six months of the end of the financial year - see s265(1) and (3). This option is only available if the rules of your reporting unit provide for the matters specified in s266(3).

Power to extend time

Under s265(5), a reporting unit may apply to a Registrar to extend the period to provide the full or concise report to members by no more than one month, namely from 5 months to no more than 6 months from the end of the financial year.

Effect of Extending Time by one month

The full or concise report must be provided within 6 months of the end of the financial year and the committee of management meeting must be held within 7 months of the end of the financial year.

Making an application under s265(5)

If your reporting unit wishes to apply for an extension of time, its application should state clearly:

- whether it intends to present the full report to members' meeting or a committee of management meeting; and
- the period of extension it seeks; and
- provide reasons.

The application should be signed by an officer of the reporting unit.

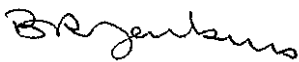
Your correspondence

I note your letter of 8 June seeks an "extension of two weeks". As noted above, please clarify which of the options you intend to adopt. I will then consider your application and advise you of my decision.

I have treated your application as lodged on 9 June 2005.

If you have any questions, please contact me or Peter McKerrow on (02) 8374 6666.

Yours sincerely



Barry Jenkins
Deputy Industrial Registrar

23 June 2005



FACSIMILE

TO	Attn: Ms Lorraine Usher, District Branch Secretary		
Organisation	CFMEU Mining & Energy Division, NSW Energy District Branch		
Fax Number	(02) 9267 3198	Phone Number	(02) 9267 3812
FROM	Belinda Penna		
Email	belinda.penna@air.gov.au		
Location	Australian Industrial Registry		
Fax Number	02 9380 6990	Phone Number	02 8374 6618
No of Pages (including cover)	3	Date	23/06/2005
Please notify sender if not all pages were received.		Time	3:45 PM

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MESSAGE:

Please see attached letter Re: Extension of Time to Lodge Financial Return for the year ended 31 December 2004.

AIRC SYDNEY 61 2 93806990

(AUTO)

THE FOLLOWING FILE(S) ERASED

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046	MEMORY TX		0292673198	03/03	OK

ERRORS

1) HANG UP OR LINE FAIL 2) BUSY 3) NO ANSWER 4) NO FACSIMILE CONNECTION



Australian Government

Australian Industrial Registry

Level 8, Terrace Towers
80 William Street, East Sydney, NSW 2011
Telephone: (02) 8374 6666
Fax: (02) 9380 6990
Email: sydney@air.gov.au

FACSIMILE

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Organisation	CFMEU Mining & Energy Division, NSW Energy District Branch		
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MESSAGE:

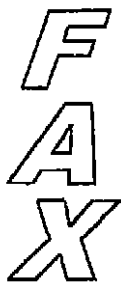
Please see attached letter Re: Extension of Time to Lodge Financial Return for the year ended 31 December 2004.



Mining and Energy Division NSW Energy District

Level 1 365-375 Sussex Street Sydney 2000
Postal address PO Q1641 QVB Post Office Sydney 1230
Phone 02 9267 3812 • Fax 02 9267 3198
• email lusher@cfmeu.com.au

President *Allen Drew* • Secretary *Lorraine Usher*



To Mr Barry Jenkins, Deputy Industrial Registrar, AIR.

Fax no 9380 6990

From Lorraine Usher

Date 27th June, 2005.

Total pages
2

Message

[The message content is mostly blank with some faint vertical lines, suggesting the text was not rendered or is illegible.]

Cessnock Office - 67A Aberdare Road Aberdare • Postal address - PO Box 364 Cessnock 2325
Phone 02 4990 7600 • Fax 02 4991 1595 • Allen Drew's mobile 0419 497044

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Mining and Energy Division
NSW Energy District

Level 1 365-375 Sussex Street Sydney 2000
Postal address PO Box Q1641 QVB Post Office Sydney 1230
Phone 02 9287 3812 * Fax 02 9267 3198
email lusher@cfmeu.com.au

President *Allen Drew* * Secretary *Lorraine Usher*

27th June, 2005.

Mr Barry Jenkins
Deputy Industrial Registrar
Australian Industrial Registry
Level 8, Terrace Towers
80 William Street
SYDNEY NSW 2000

Dear Mr Jenkins,

RE: Financial Return for year ending 31st December 2004. (FR 2004/680)

Reference is made to my letter of 8th June and your response of 23rd June, 2005.

To meet the new legislation reporting requirements under section s265(5)(a) – presenting full report to members' meetings, we seek an extension of 14 days to finalize the meetings, collate the voting and lodge a full report to the Registrar.

We seek your favourable response.

Yours sincerely,

LORRAINE USHER
State Secretary



Mining and Energy Division
NSW Energy District

Level 1, 365-375 Sussex Street, Sydney 2000
Postal address PO Box Q1641 QVB Post Office Sydney 1230
Phone 02 9267 3812 • Fax 02 9267 3198

Email lusher@cfmeu.com.au

President *Allen Drew* • Secretary *Lorraine Usher*

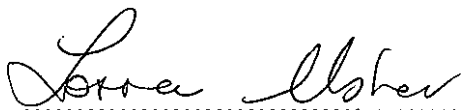
11th July, 2005.



Certificate of Secretary or other Authority Officer
S268 of Schedule 1B Workplace Relations Act 1996

I, LORRAINE USHER, being the Secretary of the NSW Energy District Branch, Mining and Energy Division of the Construction, Forestry, Mining and Energy Union, 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 8th June, 2005; and
- That the full report was presented to the last of a series of general meetings of members of the reporting unit on 30th June, 2005; in accordance with section 266 of the RAO Schedule.


.....
SECRETARY

Encl.

**CONSTRUCTION FORESTRY MINING AND ENERGY UNION
MINING AND ENERGY DIVISION
NEW SOUTH WALES ENERGY DISTRICT**

**FINANCIAL REPORT
FOR THE YEAR ENDED 31 DECEMBER 2004**

CONTENTS

1-2	Operating Report
3	Board of Management's Certificate
4	Independent Audit Report to the Members
5	Statement of Financial Performance
6	Statement of Financial Position
7	Statement of Cash Flows
8-14	Notes to the Financial Statements

OPERATING REPORT

Your Board of Management present their Operating Report on the Union for the year ended 31 December 2004.

Board of Management

The names of Board of Management (BOM) in office at any time during the year are:

Name	Position	Period of Appointment
Mr A Drew	District President	1/1/2004 to 31/12/2004
Ms L Usher	District Secretary	1/1/2004 to 31/12/2004
Mr R Fuller	District Vice President	1/1/2004 to 31/12/2004
Mr P McGuire	District Vice President	1/1/2004 to 31/12/2004
Mr W De Vecchis	District Vice President	1/1/2004 to 31/12/2004
Mr G Sellers	Board of Management	1/1/2004 to 31/12/2004
Mr L Gleeson	Board of Management	1/1/2004 to 31/12/2004
Mr S Palfrey	Board of Management	1/1/2004 to 31/12/2004
Mr L Brydson	Board of Management	1/1/2004 to 31/12/2004
Mr P Fisher	Board of Management	1/1/2004 to 31/12/2004
Mr G O'Connell	Board of Management	1/1/2004 to 31/12/2004
Mr M McGrath	Board of Management	1/1/2004 to 31/12/2004
Mr B Brown	Board of Management	1/1/2004 to 31/12/2004
Mr A Warburton	Board of Management	1/7/2004 to 30/6/2004
Mr G Devine	Board of Management	1/1/2004 to 31/12/2004
Mr N Bell	Board Of Management	1/1/2004 to 30/6/2004
Mr O Guerra	Board of Management	1/1/2004 to 30/6/2004
Mr M Connor	Board of Management (Alternate)	1/7/2004 to 31/12/2004

Principal Activities

The principal activities of the Union during the year were: -

- Adherence to the rules of the District in furtherance of the objects of the Union consistent with the industrial relations legislation.
- Implementation of the decisions of the District Executive and Board of Management.
- Implementation of the Union's organising agenda, including assistance and advice on organising site projects, training and development of officials and planning and resourcing campaigns.
- Industrial support including assistance with legal and legislative matters.
- The administration and variation of federal and state wards.
- Negotiation and registration of certified industrial instruments on behalf of members consistent with the objects of the Workplace Relations Act and the Union rules.
- Media and other communications to members and to the broader local communities of the District on issues affecting the rank and file.

Results of Activities

The District has been involved in lobbying and negotiating with different levels of Government and key industry organisations around issues of importance to the members, including but not limited to health and safety issues, industrial and compensation matters, superannuation entitlements and environmental matters impacting the mining industry.

The District has successfully implemented certified agreements and awards for the benefits of members.

The District has successfully recruited new members in conjunction with a national objective of recruitment and training.

OPERATING REPORT

Continued

Significant Changes in Nature of Activities

There were no significant changes in the nature of activities of the Union during the year.

Significant Changes in Financial Affairs

Significant changes in the financial affairs of the Union include a rise in income from contributions and levies during the year of 4% as a consequence of being the first full year since revision of the contributions rate in early 2003. In addition the expenditure relating to motor vehicles has declined by 24%.

Membership of the Union

There were 1,036 members of the Union as at 31 December 2004.

Rights of Members to Resign

All members of the Union have the right to resign in accordance with Rule 5 (iv)(a) of the Union Rules (and section 174 of the Workplace Relations Act), namely, by providing written notice addressed and delivered to the District Secretary.

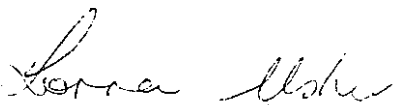
Employees of the Union

As at 31 December 2004 the Union employed 3 full time employees.

Superannuation Trustees

No officer or member of the Union acts:

- (i) as a trustee of a superannuation entity or an exempt public sector superannuation scheme; or
- (ii) as a director of a company that is a trustee of a superannuation entity or an exempt public sector superannuation scheme.



Lorraine Usher

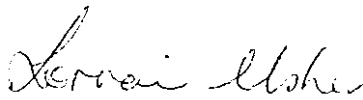
Signed this 7th day of April 2005.

BOARD OF MANAGERMENTS' CERTIFICATE

The Board of Management of the Construction Forestry Mining and Energy Union – Mining and Energy Division, New South Wales Energy District, do state that in the opinion of the Board, that:

- (i) The financial report and notes comply with Australian Accounting Standards;
- (ii) The financial report and notes comply with the reporting guidelines of the Industrial Registrar;
- (iii) The financial report and notes give a true and fair view of the financial performance, financial position and cash flows of the Union for the year ended 31 December 2004;
- (iv) There are reasonable grounds to believe that the Union will be able to pay its debts as and when they become due and payable; and
- (v) During the financial year ended 31 December 2004 and since the end of the financial year:-
 - (i) Meetings of the Board of Management were held in accordance with the rules of the organisation; and
 - (ii) The financial affairs of the Union have been managed in accordance with the rules of the organisation; and
 - (iii) The financial records of the Union have been kept and maintained in accordance with Schedule 1B to the Workplace Relations Act 1996 and the Workplace Relations (Registration and Accountability of Organisations) Regulations 2003; and
 - (iv) The financial records of the Union have been kept, as far as practicable, in a consistent manner to each other reporting unit of the organisation; and
 - (v) No information has been sought in any request of a member of the Union or by a Registrar duly made under section 272 of Schedule 1B to the Workplace Relations Act 1996; and
 - (vi) No orders have been made by the Industrial Registrar under section 273 of Schedule 1B to the Workplace Relations Act 1996.

This Statement is made in accordance with a resolution of the Board of Management and is signed for and on behalf of the Board of Management by:



Lorraine Usher



Allen Drew

Signed this 7th day of April 2005.

INDEPENDENT AUDIT REPORT TO THE MEMBERS

To the members of the Construction Forestry Mining and Energy Union – Mining and Energy Division, New South Wales Energy District (“the Union”);

SCOPE

We have audited the financial report comprising the Statement of Financial Performance, Statement of Financial Position, Statement of Cashflows and Notes To The Financial Statement of the Union for the year ended 31 December 2004. The Union’s Board of Management is responsible for the preparation and presentation of the financial report. We have conducted an independent audit of this financial report in order to express an opinion on them to the members of the Union.

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

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

AUDIT OPINION

We have received all the information and explanations required for the purposes of our audit.

In our opinion, the financial report is in accordance with:

- (a) The Workplace Relations Act 1996, including:
 - (i) giving a true and fair view of the Union’s financial position as at 31 December 2004 and of its performance and cash flows for the year ended on that date; and
 - (ii) complying with other requirements imposed by the Reporting Guidelines or Part 3 of Chapter 8 of Schedule 1B of the Act.
- (b) The financial report has been prepared in accordance with Accounting Standards and other mandatory professional reporting requirements.

We have where necessary, obtained all the information and explanations that, to the best of our knowledge and belief, were necessary for the purposes of our audit.


.....
Daley & Co
Chartered Accountants


.....
M L Gleeson
Registered Company Auditor

Signed this 7th day of April 2005.

**STATEMENT OF FINANCIAL PERFORMANCE
FOR THE YEAR ENDED 31 DECEMBER 2004**

	NOTES	2004 \$	2003 \$
Revenue from Ordinary Activities	3(a)	<u>529,340</u>	<u>515,177</u>
Expenses from Ordinary Activities			
Salaries, Superannuation and On Costs		279,144	287,438
Sustentation Fees to Central Council		133,380	135,135
Delegate Expenses		27,613	28,704
Depreciation Expense		12,176	12,899
Motor Vehicle Expenses		13,817	18,270
Written Down Value of Assets Sold		-	18,779
Administration Costs		<u>53,279</u>	<u>53,276</u>
		<u>519,409</u>	<u>554,501</u>
Net Profit (Loss) Attributable to Members	13	<u>9,931</u>	<u>(39,324)</u>

The accompanying notes form part of this financial report

**STATEMENT OF FINANCIAL POSITION
AS AT 31 DECEMBER 2004**

	NOTES	2004 \$	2003 \$
CURRENT ASSETS			
Cash	4	12,379	35,379
Receivables	5	29,791	13,236
Investment	6	274,998	326,524
Prepayments		5,368	5,612
TOTAL CURRENT ASSETS		322,536	380,751
NON-CURRENT ASSETS			
Plant and Equipment	7	58,226	53,258
TOTAL NON-CURRENT ASSETS		58,226	53,258
TOTAL ASSETS		380,762	434,009
CURRENT LIABILITIES			
Accounts Payable	8	17,661	92,259
Interest Bearing Liability	9	750	4,966
Provisions	10	114,219	93,720
Tax Liability – GST		4,179	7,128
TOTAL CURRENT LIABILITIES		136,809	198,073
NON CURRENT LIABILITIES			
Accounts Payable	8	33,798	37,997
Provisions	10	12,288	10,003
TOTAL NON CURRENT LIABILITIES		46,086	48,000
TOTAL LIABILITIES		182,895	246,073
NET ASSETS		197,867	187,936
ACCUMULATED FUNDS			
Members' Funds	13	197,867	187,936

The accompanying notes form part of this financial report

**STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 31 DECEMBER 2004**

	NOTES	2004 \$	2003 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Contributions Received from Members		522,915	526,929
Interest Received		15,208	10,346
Reimbursement of Expenses		24,202	8,846
Other Receipts		147	76
Payments to Suppliers and Employees		(617,657)	(516,217)
CASH FLOW PROVIDED BY (USED IN) OPERATING ACTIVITIES	15(a)	<u>(55,185)</u>	<u>29,980</u>
CASH FLOW FROM INVESTING ACTIVITIES			
Proceeds from Sale of NSW Trades Hall Shares		-	5,533
Proceeds / (Payments) for Investments		51,526	(9,398)
Proceeds from Sale of Property, Plant and Equipment		20,581	14,546
Payments for Property, Plant and Equipment		(35,706)	(33,917)
CASH FLOW PROVIDED BY (USED IN) INVESTING ACTIVITIES		<u>36,401</u>	<u>(23,236)</u>
NET INCREASE (DECREASE) IN CASH HELD		<u>(18,784)</u>	<u>6,744</u>
CASH AT THE BEGINNING OF THE YEAR		<u>30,413</u>	<u>23,669</u>
CASH AT THE END OF THE YEAR	15(b)	<u>11,629</u>	<u>30,413</u>

The accompanying notes form part of this financial report

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2004

1. STATEMENT OF ACCOUNTING POLICIES

The financial report is a general purpose financial report that has been prepared in accordance with Accounting Standards, Urgent Issues Group Consensus Views, other pronouncements of the Australian Accounting Standards Board and the requirements of the Workplace Relations Act, 1996.

The financial report has been prepared on an accruals basis and is based on historical costs and do not take into account changing money values or, except where stated, current valuations of non-current assets. Cost is based on the fair values of the consideration given in exchange for assets. The accounting policies have been consistently applied, unless otherwise stated.

The following is a summary of the material accounting policies adopted by the Union in the preparation of the financial report.

(a) COMPARATIVE FIGURES

Where required, comparative figures have been adjusted to conform to changes in presentation in the current financial year.

(b) PROPERTY, PLANT AND EQUIPMENT

The Union has continued to apply the cost basis for measuring its fixed assets. Property, plant and equipment are measured on the cost basis. The carrying amount of property, plant and equipment is reviewed periodically 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 which will be received from the assets employment and subsequent disposal. The expected net cash flows have not been discounted to their present values in determining recoverable amounts.

The depreciable amount of all fixed assets including buildings and capitalised leased assets, but excluding freehold land, is depreciated over their useful lives to the Union commencing from the time the asset is held ready for use. Leasehold improvements are amortised over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvement.

The depreciation rates used for each class of depreciable assets are:

<i>Class of Fixed Asset</i>	<i>Depreciation Rate</i>
	%
Buildings	2.50
Leasehold Improvements	20.00
Office Furniture and Equipment	7.50 to 33.00
Plant and Equipment	7.50 to 33.00
Motor Vehicles	22.50

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2004**

Continued

1. STATEMENT OF ACCOUNTING POLICES

Continued

(c) EMPLOYEE BENEFITS

Provision is made in respect of the Union's liability for annual leave and long service leave arising from services rendered by officers and employees to balance date. Long service leave is accrued in respect of all officers and employees with more than 5 years service. Related on-costs are included in these provisions.

Contributions are made to employee superannuation funds and are charged as expenses when incurred.

(d) INCOME TAX

No provision for income tax is necessary as the Union (being a registered Industrial Trade Union) is exempt from tax under S23(f) of the Income Tax Assessment Act.

(e) ADOPTION OF AUSTRALIAN EQUIVALENTS TO INTERNATIONAL FINANCIAL REPORTING STANDARDS (IFRS)

Australia is currently preparing for the introduction of International Financial Reporting Standards (IFRS) effective for financial years commencing 1 January 2005. This requires the production of accounting data for future comparative purposes at the beginning of the next financial year.

The Union's management, along with its auditors, are assessing the significance of these changes and preparing for their implementation. An IFRS committee will be established to oversee and manage the transition to IFRS.

The Board of Management are of the opinion that key differences in the Union's accounting policies which may arise from the adoption of IFRS are: -

Impairment of Assets

The Union currently determines the recoverable amount of an asset on the basis of undiscounted net cash flows that will be received from the assets use and subsequent disposal. In terms of pending AASB 136: Impairment of Assets, the recoverable amount of an asset will be determined as the higher of fair value less costs to sell and value in use. It is likely that this change in accounting policy may lead to impairments being recognised more often than under the existing policy.

2. INFORMATION TO BE PROVIDED TO MEMBERS OR REGISTRAR

In accordance with the requirements of the Workplace Relations Act, 1996, the attention of members is drawn to the provisions of sub-sections (1), (2) and (3) of Section 272 of Schedule 1B which reads as follows:

- (1) A member of a Union, or a Registrar, may apply to the Union for specified prescribed information in relation to the reporting unit to be made available to the person making the application.
- (2) An application must be made 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 Union.
- (3) The Union must comply with an application made under subsection (1).

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2004**

Continued

	2004	2003
	\$	\$
3. OPERATING PROFIT FROM ORDINARY ACTIVITIES		
Profit from ordinary activities is arrived at after taking into account:		
(a) Revenue		
<i>Operating Activities</i>		
Contributions and Levies	488,300	469,782
Interest Received	14,672	16,394
Other Income	24,349	8,922
	<u>527,321</u>	<u>495,098</u>
<i>Non Operating Activities</i>		
Proceeds from Sale of Shares	-	5,533
Proceeds from Sale of Assets	2,019	14,546
	<u>529,340</u>	<u>515,177</u>
(b) Expenses		
Depreciation of Non Current Assets		
Motor Vehicles	9,825	10,503
Office Equipment	2,351	2,396
Total Depreciation	<u>12,176</u>	<u>12,899</u>
Movements in Employee Benefits	22,784	(51,689)
Transfer of Entitlements to National Office	-	108,372
Written Down Value of Assets Sold	-	18,779
Remuneration of Auditors		
- Auditing of Financial Report	3,500	3,500
- Other Services	4,130	2,311
4. CASH		
Cash on Hand	300	300
Cash at Bank		
• Annual and Long Service Leave Account	<u>12,079</u>	<u>35,079</u>
	<u>12,379</u>	<u>35,379</u>

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2004**

Continued

	2004 \$	2003 \$
5. RECEIVABLES		
Current		
Contributions Receivable	23,297	6,206
Accrued Interest	6,494	7,030
	<u>29,791</u>	<u>13,236</u>
6. INVESTMENT		
Current		
Term Deposit	<u>274,998</u>	<u>326,524</u>
7. PROPERTY, PLANT AND EQUIPMENT		
Furniture, Fittings and Equipment		
• At Cost	15,525	14,396
• Accumulated Depreciation	<u>(12,779)</u>	<u>(10,428)</u>
	<u>2,746</u>	<u>3,968</u>
Motor Vehicles		
• At Cost	66,671	66,283
• Accumulated Depreciation	<u>(11,191)</u>	<u>(16,993)</u>
	<u>55,480</u>	<u>49,290</u>
TOTAL PROPERTY, PLANT AND EQUIPMENT	<u>58,226</u>	<u>53,258</u>

Movements In Carrying Amounts

Movements in the carrying amounts (written down values) for each class of property, plant and equipment between the start and end of the current financial year.

	FURNITURE, FITTINGS & EQUIPMENT \$	MOTOR VEHICLES \$	TOTAL \$
Balance at Start of Year	3,968	49,290	53,258
Additions	1,129	34,577	35,706
Disposals – Assets	-	(34,189)	(34,189)
Amort/Depreciation Expense	(2,351)	(9,825)	(12,176)
Disposals – Accum Dep'n	-	15,627	15,627
Balance at End of Year	<u>2,746</u>	<u>55,480</u>	<u>58,226</u>

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2004**

Continued

	2004	2003
	\$	\$
8. ACCOUNTS PAYABLE		
Current		
Trade Creditors and Accruals	17,661	92,259
Non Current		
Trade Creditors and Accruals	33,798	37,997
TOTAL ACCOUNTS PAYABLE	<u>51,459</u>	<u>130,256</u>
Amount(s) relating to: -		
• CFMEU – Mining & Energy Division	37,997	108,372
• CFMEU – Mining & Energy Division – Nth District	550	440
9. INTEREST BEARING LIABILITY		
Bank Overdraft	750	4,966
10. Provisions		
Current		
Employee Benefits:		
Annual Leave	114,219	93,720
Long Service Leave	-	-
	<u>114,219</u>	<u>93,720</u>
Non Current		
Employee Benefits		
Long Service Leave	12,288	10,003
TOTAL PROVISIONS	<u>126,507</u>	<u>103,723</u>
Number of Employees at Balance Date	3	3
Employee Benefits attributable to:		
• Office Holders	108,155	87,047
• Staff	18,352	16,676
TOTAL PROVISIONS	<u>126,507</u>	<u>103,723</u>

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2004**

Continued

	2004	2003
	\$	\$
11. SALARIES		
The following analysis of salaries paid during the year ended 31 December 2004 is given in compliance with the requirements of the Workplace Relations Act, 1996.		
Paid to Office Holders	164,376	147,849
Paid to Employees	39,182	39,488
	<u>203,558</u>	<u>187,337</u>
12. LEGAL AND PROFESSIONAL FEES & EXPENSES		
Amounts received, or due and receivable, by the auditors for:		
• Auditing	3,500	3,500
• Other Services	4,130	2,311
	<u>7,630</u>	<u>5,811</u>
Legal Expenses	1,895	3,308
	<u>9,525</u>	<u>9,119</u>
13. Accumulated Funds		
Balance at Start of Year	187,936	227,260
Add: Net Profit (Loss) Attributable to Members	9,931	(39,324)
Balance at End of Year	<u>197,867</u>	<u>187,936</u>

14. RELATED PARTY INFORMATION

MEMBERS OF THE BOARD OF MANAGEMENT

Persons holding positions within the Union and as members of the Board of Management during the year:

DISTRICT EXECUTIVES

- Mr A Drew (District President)
- Mr R Fuller (Vice President)
- Mr W De Vecchis (Vice President)
- Mr P McGuire (Vice President)
- Ms L Usher (District Secretary)

DISTRICT BRANCH COUNCILORS

- Mr L Gleeson
- Mr G O'Connell
- Mr A Warburton
- Mr L Brydson
- Mr M McGrath
- Mr M Connor (alternate)
- Mr P Fisher
- Mr S Palfrey
- Mr G Sellers
- Mr G Devine
- Mr B Brown

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2004**

Continued

	2004 \$	2003 \$
15. RECONCILIATION OF CASH FLOW FROM OPERATIONS WITH NET RESULT		
(A) RECONCILIATION OF NET CASH PROVIDED BY (USED IN) OPERATING ACTIVITIES TO OPERATING RESULT		
Operating Result from Ordinary Activities	9,931	(39,324)
Non-Cash Flows in Net Operating Result		
Provision for Annual Leave	20,499	15,859
Depreciation	12,176	12,899
Provision for Long Service Leave	2,285	(67,548)
Net Profit on Sale of Fixed Assets	(2,019)	-
Profit on Sale of NSW Trades Hall Shares	-	(5,533)
Loss on Disposal of Property, Plant and Equipment	-	4,233
Changes in Assets and Liabilities		
(Increase) in Accrued Interest	536	(6,048)
(Increase) / Decrease in Accounts Receivable	(17,091)	7,990
(Increase) / Decrease in Prepayments	244	835
Increase / (Decrease) in Tax Liability	(2,949)	(167)
Increase / (Decrease) in Accounts Payable	(78,797)	106,784
NET CASH PROVIDED BY (USED IN) OPERATING ACTIVITIES	<u>(55,185)</u>	<u>29,980</u>
(B) Reconciliation of Cash		
Cash at the end of the financial year as shown in the Statement of Cash Flows is reconciled to items in the Statement of Financial Position as follows:		
Cash	12,379	35,379
Bank Overdraft [Note 9]	(750)	(4,966)
	<u>11,629</u>	<u>30,413</u>
(c) Net cash flows (excluding GST) relating to another reporting units of the organisation are as follows:		
CFMEU – Mining & Energy Division	<u>(215,746)</u>	<u>(147,135)</u>
CFMEU – Mining & Energy Division – Nth District	<u>(5,600)</u>	<u>(5,200)</u>



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Ms Lorraine Usher
District Branch Secretary
CFMEU Mining & Energy Division
NSW Energy District Branch
PO Box Q1641
QVB POST OFFICE SYDNEY NSW 1230

Dear Ms Usher

Re: Lodgement of Financial Statements and Accounts for the CFMEU Mining & Energy Division, NSW Energy District Branch for the year ending 31 December 2004 (FR2004/680)

I refer to your letters of 8 June and 27 June 2005 requesting an extension of time to complete the financial reporting requirements for the NSW Energy District Branch, and the financial statements and accounts which were lodged in the Registry on 18 July 2005.

Firstly, in reference to the Branch's application for an extension of time to complete certain steps in the reporting process, as noted in the Deputy Industrial Registrar's letter of 23 June 2005, a Registrar may extend the period during which the general meeting must be held from six months (30 June) to seven months (31 July) from the end of the financial year. As the Branch held the last of its series of general meetings within the six month period, there is no need to grant an extension.

In reference to the lodgement of the financial statements and accounts, I would like to draw your attention to a couple of matters which will need to be amended in future financial returns lodged.

Committee (Board) of Management Statement -- Date of Resolution

The Industrial Registrar's Reporting Guidelines require that the Committee (Board) of Management Statement

- be made in accordance with such resolution as is passed by the committee of management
- specify the date of passage of the resolution
- be signed by a designated officer
- be dated as at the date the designated officer signs the statement

The Board of Management Statement lodged does not specify the date that the resolution was passed by the committee. Please ensure that future statements include this information.

Thank you for your attention to these matters. The documents have been filed, and may be viewed on the internet at www.e-airc.gov.au/105nnest/financial.

Yours sincerely,

Peter McKerrow
Assistant Manager, NSW Registry

1 August 2005