



**AUSTRALIAN INDUSTRIAL REGISTRY**

Level 8, Terrace Towers  
80 William Street, East Sydney, NSW 2011  
Telephone: (02) 8374 6666  
Fax: (02) 8380 6990

**Ref: FR2002/807-[105N-NSWU]**

Mr Andrew Ferguson  
State Secretary  
New South Wales Branch  
Construction, Forestry, Mining and Energy Union  
Locked Bag 1  
LIDCOMBE NSW 1825

Dear Mr Ferguson

**Re: Construction, Forestry, Mining and Energy Union - New South Wales Branch  
Financial Reporting Obligations under *Workplace Relations Act 1996***

This is a courtesy letter to remind you of the financial reporting obligations of the abovenamed body under the *Workplace Relations Act 1996* ('the Act') for the financial year ended 31 December, 2002.

The legislative scheme set out in Part IX, Division 11 of the Act is directed at ensuring that a registered organisation or a branch of such an organisation discharges obligations of accountability to its members in relation to its financial affairs through proper and regular disclosure of financial information. The various steps of the financial reporting requirements must be carried out within the time-scales prescribed by the legislation so as to ensure the relevance of the financial information provided to the members.

Now that the financial year has ended, it is timely that you put in train the various steps of the financial reporting requirements. To assist you with this process I have enclosed for your information a notice summarising these requirements including the time-scales prescribed by the legislation.

Please note that a branch of an organisation may be exempted from the obligations arising under Part IX, Division 11 in respect of a financial year by satisfying a Registrar that the branch did not have any financial affairs during the financial year. An application under subsection 271A(1) of the Act must be made within 90 days (unless extended by a Registrar) after the end of the financial year.

Please do not hesitate to contact me on (02) 8374 6618 if you wish to discuss the financial reporting requirements, especially if you anticipate any difficulty in meeting any step in the time-scales prescribed.

Yours sincerely

Belinda Penna  
E-mail: belinda.penna@air.gov.au  
6 February 2003



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80 William Street, East Sydney, NSW 2011  
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Our ref: FR2002/807

Mr Andrew Ferguson  
Secretary  
New South Wales Branch  
CFMEU  
Locked Bag 1  
LIDCOMBE NSW 1825

Dear Mr Ferguson

**Re: New South Wales Branch - CFMEU  
Outstanding Financial Documents - *Workplace Relations Act 1996***

There is no record of lodgement in the Industrial Registry of the auditor's report, accounts and statements of the abovenamed body, prepared in accordance with Part IX, Division 11 of the *Workplace Relations Act 1996* ('the Act'), for the year ended 31 December 2002.

An organisation registered under the Act or a branch of such an organisation is required after the end of its financial year to prepare accounts and statements, obtain a report from the auditor, provide copies of the auditor's report, accounts and statements to its members, present the auditor's report, accounts and statements to a meeting of members or committee of management, and lodge copies in the Industrial Registry. Having in mind the time-scales allowed by the Act to complete each of these steps, lodgement of the required documents would, in the normal course, be expected before now.

Therefore, I request your written advice **by Monday 17 November 2003** as to when each of the following steps is expected to be completed:-

1. preparation of the accounts and statements in compliance with section 273
2. making of the audit report in compliance with section 276(4)
3. provision of copies of the auditor's report, accounts and statements to the members in compliance with sections 279(1) and (3)
4. presentation of the financial documents to a meeting of the members or the committee of management in compliance with sections 279(6) and (7) (*following provision of copies to the members as per step 3 above*)
5. lodgement of copies of the financial documents in the Industrial Registry under cover of a certificate by you in compliance with section 280(1) - such certificate should confirm that the documents so lodged are copies of the documents presented to the meeting referred to in step 4 above - the type of meeting and the date when it was held should be specified.

If you would like to discuss this letter please contact me on (02) 8374 6618, or by email to [belinda.penna@air.gov.au](mailto:belinda.penna@air.gov.au).

Yours sincerely

Belinda Penna  
for Deputy Industrial Registrar

31 October 2003



# Construction Forestry Mining & Energy Union

## Construction & General Division

New South Wales Divisional Branch

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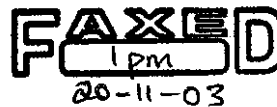
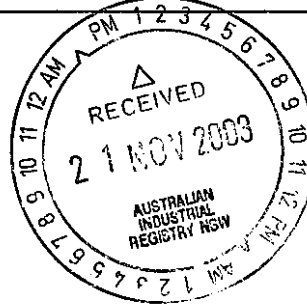
12 Railway Street LIDCOMBE 2141  
Phone 02 9749 0400 • Fax 02 9649 7100 • Email: enquiries@nsw.cfmeu.asn.au  
Locked Bag 1 LIDCOMBE NSW 1825

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19<sup>th</sup> November 2003

Industrial Registrar  
Australian Industrial Registry  
Level 80  
80 William Street  
SYDNEY NSW 2011

By Facsimile: (02) 9380 6990



Dear Sir/Madam

### RE: Workplace Relations Act 1996 s271A- Application for Certificate

I am Secretary of the Construction, Forestry, Mining and Energy Union New South Wales Branch ("the Branch") and occupied that position for the financial year ending 31 December 2002 ("the financial year"). I am authorised under the rules to act on behalf of the Branch.

Pursuant to section 271A of the Workplace Relations Act 1996 ("the Act"), I hereby apply for a certificate of exemption for the Branch in respect of the financial year.

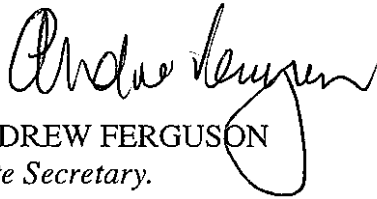
In support of this application I submit as follows:

1. The CFMEU consists of a number of Divisions.
2. There exists a number of Divisional Branch (or in the case of the Mining and Energy District, District Branches) within these Divisions. Such Divisional (or District) Branches function within a designated geographical area, in most cases being the State or Territory in which they are established.
3. The CFMEU and each Division and Divisional (or District) Branch thereof submit annual financial returns in accordance with Part IX Division 11 of the Act.
4. The CFMEU State Branches, including the Branch, consist of the members and officers of each Divisional (or District) Branch in each State or Territory.
5. The Branch has not traded or carried out financial transactions of any kind during the financial year.

Secretary *Andrew Ferguson* • President *Peter McClelland*

6. The Branch has not had an account with the Bank or any other financial institution nor has it had custody of any real property or monies during the financial year.
7. Accordingly the Branch had no reason to keep accounting records during the financial year.
8. Notwithstanding the above, the Branch has functioned in accordance with the rules of the CFMEU including the rules relating to branches.

Yours faithfully

A handwritten signature in cursive script, appearing to read "Andrew Ferguson". The signature is written in black ink and is positioned above the printed name and title.

ANDREW FERGUSON  
*State Secretary.*



**Workplace Relations Act 1996**

s.271 certificate of exemption from requirements of Part 3, Chapter 8

*Construction, Forestry, Mining and Energy Union*  
(FR 2002/807)

CERTIFICATE

On 20 November 2003 an application was made under section 271A (1) of the *Workplace Relations Act 1996* for a certificate of exemption by the New South Wales Divisional Branch of the Construction, Forestry, Mining and Energy Union, in respect of the financial year ending 31 December 2002. I am satisfied that the branch did not have any financial affairs in the financial year ending 31 December 2002.



DEPUTY INDUSTRIAL REGISTRAR

03 December 2003



**AUSTRALIAN INDUSTRIAL REGISTRY**

Level 8, Terrace Towers  
80 William Street, East Sydney, NSW 2011  
Telephone: (02) 8374 6666  
Fax: (02) 9380 6990

Mr Andrew Ferguson  
State Secretary, New South Wales Divisional Branch  
Construction Forestry Mining & Energy Union  
Construction and General Division  
Locked Bag 1  
LIDCOMBE NSW 1825

Dear Mr Ferguson

**Re: Application for certificate of exemption from requirements of Part IX, Division 11 of the  
*Workplace Relations Act 1996 (FR2002/807)***

I refer to your application received on 20 November 2003 for the above certificate in respect of the New South Wales Divisional Branch of the Construction Forestry Mining & Energy Union for the financial year ending 31 December 2002.

I have allowed your application to be made after the 90 days prescribed in subsection 271A (3) of the Act. In relation to future applications by the branch please note the requirement to make the application within 90 days of the end of the financial year.

I have granted the application. My certificate is enclosed.

Should you wish to discuss this letter please contact me on 02 8374 6504.

Yours sincerely

Barry Jenkins  
Deputy Industrial Registrar

3 December 2003