



Australian Government
Australian Industrial Registry

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Mr Andrew Ferguson
State Secretary, New South Wales Branch
Construction Forestry Mining & Energy Union
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 (FR2003/687)***

I refer to your application received 25 October 2004 for the above certificate in respect of the New South Wales Branch of the Construction Forestry Mining & Energy Union for the financial year ending 31 December 2003.

I have allowed your application to be made after the 90 days prescribed in subsection 271A (3) of the Act.

I have granted the application. My certificate is enclosed.

New Legislation

Please note that the financial reporting provisions of the RAO Schedule will apply to your organisation's financial year ending 31 December 2004.

If your branch, (for these purposes called a "reporting unit") wishes to apply under s271 of the RAO Schedule for a certificate exempting it from the requirements of Part 3 of the RAO Schedule for the financial year ending 31 December 2004, it must lodge the application within 90 days of the end of the year.

Please also note that regulation 165 of the Workplace Relations (Registration and Accountability of Organisations) Regulations now provides for "prescribed circumstances" which the Industrial Registrar must consider in determining an application under s271.

I urge your reporting unit to give close consideration to these circumstances as they may be relevant to whether it can be granted a certificate. If your reporting unit seeks an exemption under s271, it should address these circumstances in its application.

Should you wish to discuss this letter please contact me, or in my absence, Peter McKerrow on 02 8374 6666.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Barry Jenkins'.

Barry Jenkins
Deputy Industrial Registrar

4 November 2004



Workplace Relations Act 1996

s.271A certificate of exemption from requirements of Part IX, Division 11

Construction, Forestry, Mining and Energy Union
(FR 2003/687)

CERTIFICATE

On 25 October 2004 an application was made under section 271A (1) of the *Workplace Relations Act 1996* for a certificate of exemption by the Construction, Forestry, Mining and Energy Union, New South Wales Branch in respect of the financial year ending 31 December 2003. I am satisfied that the branch did not have any financial affairs in the financial year ending 31 December 2003.



DEPUTY INDUSTRIAL REGISTRAR

3 November 2004