



FAIR WORK
AUSTRALIA

3 March 2010

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

Dear Mr Ferguson

Re: s271 Certificate of Exemption - Construction, Forestry, Mining and Energy Union, New South Wales Branch - for year ending 31 December 2009 (FR2009/10248)

I refer to your application dated 19 February 2010 under s271 of the Fair Work (Registered Organisations) Act 2009 which was received by Fair Work Australia on 22 February 2010.

The application has been granted and my certificate is enclosed.

Yours sincerely,

Barry Jenkins

Delegate of the General Manager

Fair Work Australia



FAIR WORK
AUSTRALIA

CERTIFICATE

Fair Work (Registered Organisations) Act 2009
s.271 – Certificate of exemption

Construction, Forestry, Mining and Energy Union
(FR2009/100248)

B.R.JENKINS

SYDNEY, 3 MARCH 2010

S271 - Certificate of Exemption.

[1] On 22 February 2010 the New South Wales Branch of the Construction, Forestry, Mining and Energy Union lodged with Fair Work Australia an application under s271(1) for a certificate of exemption from the requirements of Part 3, Chapter 8 of the *Fair Work (Registered Organisations) Act 2009*, in respect of the financial year ending 31 December 2009.

[2] I CERTIFY that I am satisfied, after considering the prescribed circumstances, that the reporting unit did not have any financial affairs in the aforesaid financial year.



DELEGATE OF THE GENERAL MANAGER
FAIR WORK AUSTRALIA

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Construction Forestry Mining & Energy Union

New South Wales Branch

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Fair Work Australia,
Statutory Services Branch
Level 8
80 William Street
East Sydney
NSW 2011
ATTENTION STEPHEN KELLETT



Dear Sir,

Re: *Workplace Relations Act 1996*
Section 271 Schedule 1 –
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 31st December 2009 (the financial year).

Pursuant to section 271 of Schedule 1 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 Branches (or in the case of the Mining and Energy Division, 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 Chapter 8 of Schedule 1 of the Act.

4. 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 had an account with a bank or any other financial institution nor has it had custody of any real property or monies during the financial year.
6. The Branch had no reason to keep accounting records and did not have any financial affairs during the financial year.
7. The Branch has not traded or carried out financial transactions of any kind and has not expended economic resources or incurred any financial obligations to conduct its activities during the financial year.
8. The various Divisional/District Branches within the State of New South Wales expend their own economic resources and incur financial obligations so that the Branch may conduct its activities.
9. No person or body corporate or trust expends its own economic resources or incurs financial obligations so that the Branch may conduct its activities.
10. Notwithstanding the above, the Branch has functioned in accordance with the rules of the CFMEU including the rules relating to Branches.

Yours faithfully,



Secretary

CFMEU New South Wales Branch.

19/2/2010

12 January 2010

Mr Andrew Ferguson
State Branch Secretary, New South Wales Branch
Construction, Forestry, Mining and Energy Union
10-12 Railway Street
LIDCOMBE NSW 2141



Fair Work
Australia

Dear Mr Ferguson

Financial Reporting – New South Wales Branch - for year ended 31 December 2009 (FR2009/10248)

This is a letter to remind you of the financial reporting obligations under the *Fair Work (Registered Organisations) Act 2009* ('the RO Act') in respect of the New South Wales Branch of the federally registered Construction, Forestry, Mining and Energy Union (i.e. *not* the Divisional Branch).

In past years an application under s271 of the Act - for an exemption on the basis of no financial affairs - has been made.

Applications under s271 may be lodged electronically at riasydney@fwa.gov.au, or alternatively, by facsimile at (02) 9380 6990.

Unless an application under s271 is made and granted, the obligation to lodge a financial return in accordance with the Act in respect of this Branch remains.

Relevant references may be found at <http://www.fwa.gov.au/index.cfm?pagename=regorgsfrguidelines> and <http://www.fwa.gov.au/index.cfm?pagename=legislationfwroact>. If you are in any doubt as to the requirements or wish to clarify any aspect of the relevant legislation, or anticipate any difficulty in complying with the requirements, do not hesitate to contact Fair Work Australia.

Yours sincerely,

Stephen Kellett
Statutory Services Branch

Fair Work Australia
Level 8, 80 William Street
EAST SYDNEY NSW 2011

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