



FAIR WORK  
AUSTRALIA

24 April 2012

Mr Michael Ravbar  
State Secretary, Queensland Branch  
CFMEU  
16 Campbell Street  
BOWEN HILLS QLD 4006

Dear Mr Ravbar,

**Application for exemption under s271 of the *Fair Work (Registered Organisations) Act 2009* – Construction, Forestry, Mining and Energy Union, Queensland Branch - for years ending 31 December 2011 (FR2011/2918), 31 December 2010 (FR2010/2915), 31 December 2009 (FR2009/10312)**

I refer to the applications for a certificate under section 271 of the *Fair Work (Registered Organisations) Act 2009 (the Act)* in respect of financial years ended 31 December 2010, 31 December 2011 and 31 December 2012 for the Queensland Branch established under the National Rules of the Construction, Forestry, Mining and Energy Union. The applications were lodged with Fair Work Australia on 12 and 19 April 2012.

The applications were all lodged outside the prescribed periods. Section 271(3) of the Act provides that an application for exemption from lodging a financial return must be made within 90 days of the end of the financial year, that is by 31 March.

However, I have considered your requests for extensions of time, and having regard to your explanation and to your advice that procedures are now in place to ensure future applications are lodged within time, I have allowed the extensions and granted the certificates.

My certificates are enclosed.

Yours sincerely,

Ailsa Carruthers  
Delegate of the General Manager  
Fair Work Australia



FAIR WORK  
AUSTRALIA

# CERTIFICATE

*Fair Work (Registered Organisations) Act 2009*

s.271 – Exemption from requirements of Part 3 in respect of financial year

## **Construction, Forestry, Mining and Energy Union**

(FR2011/2918)

AILSA CARRUTHERS

MELBOURNE, 24 APRIL 2012

*s.271 Certificate*

[1] On 12 and 19 April 2012 an application was made under section 271 of the *Fair Work (Registered Organisations) Act 2009* for a certificate of exemption by the Construction, Forestry, Mining and Energy Union, Queensland Branch, in respect of the financial year ending 31 December 2011, including a request for an extension of time for lodgement.

[2] After considering the explanation for the delay, and the advice that procedures are now in place to ensure future applications are lodged within the prescribed period, I allow an additional period of time for the application to be made up to the date on which the application was lodged on 19 April 2012.

[3] I CERTIFY that I am satisfied that the branch did not have any financial affairs in the financial year ending 31 December 2011.

DELEGATE OF THE GENERAL MANAGER  
FAIR WORK AUSTRALIA

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Construction, Forestry, Mining & Energy Union  
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:pm

18 April 2012

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



Dear Sir/Madam,

**Re: Fair Work (Registered Organisations) Act 2009 s271 – Application for Exemption Certificate**

Enclosed please find applications for the Construction, Forestry, Mining and Energy Union Queensland Branch for the years ended 31 December 2009, 31 December 2010 and 31 December 2012.

With apologies, we request an extension of time for the lodgement of this applications. Owing to significant changes in senior and administrative staff and the relocation of our office these applications have been overlooked. An office procedure is now in place to ensure future applications are lodged within the prescribed period.

We apologise for any inconvenience.

Yours faithfully

Michael Ravbar  
**DIVISIONAL SECRETARY, CFMEU – Queensland Branch**

Construction, Forestry, Mining & Energy Union \\officead\finances\fwa ltr re applns for exemption certificates 280312.docx

Construction & General Division  
Queensland Construction Workers Divisional Branch  
FFPD Queensland, FFTS Branch

(The Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland) Est. 1858  
(Federated Engine Drivers' and Firemen's Association of Queensland, Union of Employees)

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**CFMEU**  
**CONSTRUCTION**  
**AND GENERAL**  
**QLD/NT BRANCH**

Construction, Forestry, Mining & Energy Union  
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17 April 2012

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

Dear Sir/Madam,

**Re: Fair Work (Registered Organisations) Act 2009 s271 – Application for Exemption Certificate**

I am the Divisional Secretary of the Construction, Forestry, Mining and Energy Union Queensland Branch ("the Branch") and occupied that position for the financial year ending 31 December 2011 ("the financial year"). I am authorised under the rules to act on behalf of the Branch.

Pursuant to the Fair Work (Registered Organisations) Act 2009 ("the Act") Section 271, 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 Part 3 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.
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.

With apologies, we request an extension of time for this application.

Yours faithfully,

Michael Ravbar  
**DIVISIONAL SECRETARY, CFMEU – Queensland Branch**

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## Construction, Forestry, Mining & Energy Union

Construction & General Division  
Queensland Construction Workers Divisional Branch  
FFPD Queensland, FFTS Branch  
(The Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland) Est. 1858  
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FAIR WORK  
AUSTRALIA

16 April 2012

Mr Michael Ravbar  
State Secretary, Queensland State Branch  
CFMEU  
16 Campbell Street  
BOWEN HILLS QLD 4006

Dear Mr Ravbar,

**Re: Application for exemption under s271 – Queensland State Branch, CFMEU –  
for years ending 31 December 2011 (FR2011/2918), 31 December 2010 (FR2010/2915),  
31 December 2009 (FR2009/10312)**

Thank you for lodging applications for exemption in relation to the above financial reporting periods, which were received on 12 April 2012.

I note that each application included a request for an extension of time in respect of the application and that your covering letter set out an explanation for the delays in lodgment.

However, the applications are formally defective in that they are made under, and refer to, section 271A of Schedule 1 of the repealed *Workplace Relations Act 1996* ('the former Act'), instead of under, and to, section 271 of the current *Fair Work (Registered Organisations) Act 2009* ('the current Act')

I accept some responsibility for this error since I referred your office to the example of the last previous application lodged in respect of the year 2008, when the references to the former Act were correct. Please accept my apology. It is, of course, incumbent on registered organizations to continually keep abreast of legislative changes in order to make competent applications as necessary from time to time.

Under the circumstances, I must ask that fresh applications be prepared and lodged, replacing all references to the former Act with references to section 271 of the current Act.

I also recommend that you prepare a fresh covering letter which makes clear on its face that the circumstances described relate to the requests for extensions of time and represent all the relevant matters which the Delegate of Fair Work Australia will need to consider in order to determine whether or not an extension of time should be granted. In view of the significant delay in respect of the earlier two applications, you should ensure that your submissions are as detailed as appropriate.

Upon receipt of the amended applications and fresh application for an extension of time, I will forward the documents to the Delegate for determination.

Yours sincerely,

Stephen Kellett

Fair Work Australia

Terrace Towers  
80 William Street  
East Sydney NSW 2011

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International: (612) 8374 6666  
Facsimile: (02) 9380 6990  
Email: [sydney@fwa.gov.au](mailto:sydney@fwa.gov.au)



**CFMEU**  
**CONSTRUCTION**  
**AND GENERAL**  
**QLD/NT BRANCH**

Construction, Forestry, Mining & Energy Union  
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:pm

28 March 2012

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



Dear Sir/Madam,

**Re: Workplace Relations Act 1996 s271A – Application for Exemption Certificate**

Enclosed please find applications for the Construction, Forestry, Mining and Energy Union Queensland Branch for the years ended 31 December 2009, 31 December 2010 and 31 December 2012.

Owing to significant changes in senior and administrative staff and the relocation of our office these applications have been overlooked. An office procedure is now in place to ensure future applications are lodged within the prescribed period.

We apologise for any inconvenience.

Yours faithfully

Michael Ravbar  
**DIVISIONAL SECRETARY, CFMEU – Queensland Branch**

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**Construction, Forestry, Mining & Energy Union**

Construction & General Division  
 Queensland Construction Workers Divisional Branch  
 FFPD, Queensland, FETS Branch

(The Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland) Est. 1868  
 (Federated Engine Drivers' and Firemen's Association of Queensland, Union of Employees)

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Construction, Forestry, Mining & Energy Union  
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28 March 2012

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

Dear Sir/Madam,

**Re: Workplace Relations Act 1996 s271A – Application for Exemption Certificate**

I am the Divisional Secretary of the Construction, Forestry, Mining and Energy Union Queensland Branch (“the Branch”) and occupied that position for the financial year ending 31 December 2011 (“the financial year”). I am authorised under the rules to act on behalf of the Branch.

Pursuant to the Workplace Relations Act 1996, schedule 1 Registration and Accountability of Organisations (“the Act”) Section 271, 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 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.
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.

With apologies, we request an extension of time for this application.

Yours faithfully,

Michael Ravbar  
**DIVISIONAL SECRETARY, CFMEU – Queensland Branch**

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**Construction, Forestry, Mining & Energy Union**

Construction & General Division  
Queensland Construction Workers Divisional Branch  
FFPD Queensland, FTFS Branch

(The Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland) Est. 1858  
(Federated Engine Drivers' and Firemen's Association of Queensland, Union of Employees)

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State Secretary: MJ Ravbar

Assistant Secretary: PA Close, J Ingham, KR Murphy (Hon), LJ Gerlich (Hon)

State President: P Blair



Construction Forestry Mining &  
Energy Union  
Construction & General Division  
Queensland Construction  
Workers Divisional Branch  
FFBPM Division, Qld Branch

(The Construction, Forestry, Mining  
& Energy, Industrial Union of  
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(Federated Engine Drivers' and  
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State Secretary: MJ Ravbar  
Assistant Secretary: PA Close  
KR Murphy (Hon)  
LJ Genrich (Hon)  
State President: T Smith

ca  
12 March 2009

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

Dear Sir/Madam,

**Re: Workplace Relations Act 1996 s271A – Application for Exemption  
Certificate**

I am Secretary of the Construction, Forestry, Mining and Energy Union Queensland Branch ("the Branch") and occupied that position for the financial year ending 31 December 2007 ("the financial year"). I am authorised under the rules to act on behalf of the Branch.

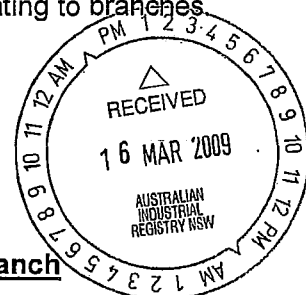
Pursuant to the Workplace Relations Act 1996, schedule 1 Registration and Accountability of Organisations ("the Act") Section 271, I hereby apply for a certificate of exemption for the Branch in respect of the financial year.

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 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.
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,

Michael Ravbar  
**STATE SECRETARY, CFMEU – Queensland Branch**







FAIR WORK  
AUSTRALIA

1 March 2012

Mr Michael Ravbar  
State Secretary, Queensland State Branch  
CFMEU  
16 Campbell Street  
BOWEN HILLS QLD 4006

Dear Mr Ravbar,

**Re: Application for exemption under s271 – Queensland State Branch, CFMEU – for years ending 31 December 2009 (FR2009/10312), 31 December 2010 (FR2010/2915) & 31 December 2011 (FR2011/2918)**

I refer to the above financial reporting periods which apply to the Queensland State Branch established under the National Rules of the Construction, Forestry, Mining and Energy Union and of which you hold the position of Secretary.

To date no correspondence for the above financial returns have been lodged. Section 271(3) of the *Fair Work (Registered Organisations) Act 2009* provides that an application for exemption from lodging a financial return must be made within 90 days of the end of the financial year, i.e. by 31 March.

Thus the prescribed periods in which an application for exemption under s271 should have been lodged have either long expired, in respect of the years 2009 and 2010, or are about to expire in respect of the year 2011.

Mr Kellett of Fair Work Australia wrote to you reminding you of the obligation to make lodgments in January and August of 2010; in January, October and December of 2011, and again on 13 January 2012, but to date there has been no reply.

I must remind you that a failure to lodge financial returns, or apply for exemptions if the reporting unit is eligible, exposes the organisation to civil penalties under the *Fair Work Act 2009* subject to the relevant circumstances.

If any financial returns or applications for exemption are ready to be lodged, please do so without further delay.

Yours sincerely,

David Vale  
Manager, Registered Organisations, NSW  
Fair Work Australia



FAIR WORK  
AUSTRALIA

1 March 2012

Mr Michael Ravbar  
State Secretary, Queensland State Branch  
CFMEU  
16 Campbell Street  
BOWEN HILLS QLD 4006

Dear Mr Ravbar,

**Re: Application for exemption under s271 – Queensland State Branch, CFMEU –  
for years ending 31 December 2011 (FR2011/2918), 31 December 2010 (FR2010/2915),  
31 December 2009 (FR2009/10312)**

I refer to the above financial reporting periods which apply to the Queensland State Branch established under the National Rules of the Construction, Forestry, Mining and Energy Union and of which you hold the position of Secretary.

Section 271(3) of the *Fair Work (Registered Organisations) Act 2009* provides that an application for exemption from lodging a financial return must be made within 90 days of the end of the financial year, i.e. by 31 March.

Thus, the prescribed periods in which an application for exemption under s271 should have been lodged have either long expired - in respect of the years 2009 and 2010 - or are about to expire - in respect of the year 2011.

I wrote to you reminding you of the obligation to make lodgments in January and August of 2010, in January, October and December of 2011, and again on 13 January 2012, but there is no record of any reply.

I must remind you that failures to lodge financial returns, or apply for exemptions if the reporting unit is eligible, expose the organization to civil penalties subject to the relevant circumstances.

If returns or applications for exemption are ready to be lodged, please do so without further delay. I have contacted your office with a view to discussing the matter and any circumstances Fair Work Australia should be made aware of, so if you wish to discuss the matter please contact me on (02) 6723 7097, or 0429 462 979.

Yours sincerely,

Stephen Kellett

Fair Work Australia



FAIR WORK  
AUSTRALIA

13 January 2012

Mr Michael Ravbar  
State Secretary, Queensland State Branch  
CFMEU  
16 Campbell Street  
BOWEN HILLS QLD 4006

Dear Mr Ravbar,

**Re: Lodgement of Financial Statements and Accounts – Queensland Branch, CFMEU – for years ending 31 December 2011 (FR2011/2918), 31 December 2010 (FR2010/2915), 31 December 2009 (FR2009/10312)**

The financial year of the Queensland Branch established under the National Rules of the Construction, Forestry, Mining and Energy Union ended on 31 December 2011. This is a courtesy letter to remind you of the obligation to either lodge audited financial accounts and statements with Fair Work Australia or an application for exemption under s271 of the *Fair Work (Registered Organisations) Act 2009*.

If you intend lodging an application for exemption under s271, you should do so within 90 days, that is, by 31 March 2012. An application for exemption in respect of the financial year ending 31 December 2011 should be preceded or accompanied by separate applications for exemption in respect of the financial years ending 31 December 2009 and 31 December 2010 which have not been lodged and are seriously overdue.

Yours sincerely,

Stephen Kellett

Organisations, Research and Advice Branch