



FAIR WORK  
COMMISSION

30 May 2014

Mr Michael Ravbar  
State Secretary, Queensland Branch  
Construction, Forestry, Mining and Energy Union  
16 Campbell Street  
BOWEN HILLS QLD 4006

Dear Mr Ravbar

**Re: Lodgement of Financial Accounts and Statements – Construction, Forestry, mining and Energy Union, Queensland Branch - for year ending 31 December 2013 (FR2013/496) - s271 Certificate of Exemption**

I refer to the application under s271 for an exemption from Part 3 of Chapter 8 of the *Fair Work (Registered Organisations) Act 2009* lodged with the Fair Work Commission today, 30 May 2013.

The Delegate has granted a certificate. The certificate is attached.

Yours sincerely

Stephen Kellett  
Senior Adviser, Regulatory Compliance Branch

**From:** KELLETT, Stephen  
**To:** ["PMasters@qld.cfmeu.asn.au"](mailto:PMasters@qld.cfmeu.asn.au)  
**Subject:** Attention Mr Michael Ravbar - s271 Certificate of exemption - Old Branch - y/e 31 Dec 2013  
**Date:** Friday, 30 May 2014 5:32:00 PM  
**Attachments:** [s271 Certificate QLDU 2013 \(2\).pdf](#)  
[CFMEU QLDU FR2013 496 \(final\).pdf](#)

---

Dear Paula,

Please see attached the Certificate and my letter in relation to the above.

Yours sincerely

STEPHEN KELLETT  
Regulatory Compliance Branch  
**FAIR WORK COMMISSION**

80 William Street  
EAST SYDNEY NSW 2011

(ph) (02) 6723 7237  
(email) [stephen.kellett@fwc.gov.au](mailto:stephen.kellett@fwc.gov.au)



# CERTIFICATE

*Fair Work (Registered Organisations) Act 2009*

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

**Construction, Forestry, Mining and Energy Union**  
(FR2013/496)

MR ENRIGHT

MELBOURNE, 30 MAY 2014

*Certificate of exemption from the requirements of Chapter 8, Part 3 of the Fair Work (Registered Organisations) Act 2009*

[1] On 30 May 2014 an application was made under s.271(1) of the *Fair Work (Registered Organisations) Act 2009* (the Act) by the Queensland Branch of the Construction, Forestry, Mining and Energy Union for a certificate of exemption in respect of the financial year ended 31 December 2013.

[2] I am satisfied that the said Branch is a reporting unit that did not have any financial affairs in respect of the financial year ended 31 December 2013.



DELEGATE OF THE GENERAL MANAGER

Printed by authority of the Commonwealth Government Printer

<Price code A>

**From:** [KELLETT, Stephen](#)  
**To:** [KELLETT, Stephen](#)  
**Subject:** FW: Attn Stephen Kellett - S271 Application for Exemption Certificate  
**Date:** Friday, 30 May 2014 2:53:30 PM  
**Attachments:** [image002.png](#)  
[photocopier\\_20140530\\_132039.pdf](#)

---

**From:** Paula Masters [<mailto:PMasters@qld.cfmeu.asn.au>]  
**Sent:** Friday, 30 May 2014 2:09 PM  
**To:** Orgs  
**Subject:** Attn Stephen Kellett - S271 Application for Exemption Certificate

Hi Stephen

I sent an Application for Exemption Certificate for the Queensland Branch of the CFMEU for the financial year ended 31 December 2013 (copy attached) by post to the Sydney office of the Fair Work Commission in early March 2014. To date I have not received a certificate or acknowledgement of receipt of the letter.

Could you give me a call ASAP please.

*Regards*

**Paula Masters**  
**Administration Manager**

-----  
**CFMEU**

**QLD/NT Branch**

**Head Office:** 16 Campbell Street, BOWEN HILLS QLD 4006

P: 07 3231 4600 F: 07 3231 4699 E: [queries@qld.cfmeu.asn.au](mailto:queries@qld.cfmeu.asn.au)

**Darwin Office:** 38 Woods Street, DARWIN NT 0800

P: 08 8981 5280 F: 08 8981 5244 E: [mhuddy@qld.cfmeu.asn.au](mailto:mhuddy@qld.cfmeu.asn.au)

 [www.qld.cfmeu.asn.au](http://www.qld.cfmeu.asn.au)

-----  
It's our work  
*Let's spread it around*  
[www.letsspreaditaround.com.au](http://www.letsspreaditaround.com.au)

If you have received this message in error, please notify us by return email. The information in this email may be confidential and/or legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorised. If you are not the intended recipient, any disclosure, copying, distribution or use of the communications is strictly prohibited.

:pm

28 February 2014

Industrial Registrar  
Fair Work Commission  
Level 10, 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 2013 (“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. The Branch does not expend economic resources or incurs any financial obligations to conduct its activities.
8. Other reporting units (Divisional or District Branches within Queensland) expend their own resources or incur financial obligations so that the Branch can conduct its activities.

.../2

9. No other person or body corporate or trust expends its own economic resources or incurs financial obligations so that the Branch can conduct its activities.
10. Accordingly the Branch had no reason to keep accounting records during the financial year.
11. 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  
**DIVISIONAL SECRETARY, CFMEU – Queensland Branch**



3 March 2014

Mr Michael Ravbar  
Qld State Secretary  
Construction, Forestry, Mining and Energy Union-Queensland Branch  
Sent by email: [queries@qld.cfmeu.asn.au](mailto:queries@qld.cfmeu.asn.au)

Dear Mr Ravbar,

**Re: Lodgement of Financial Report - [FR2013/496]  
Fair Work (Registered Organisations) Act 2009 (the RO Act)**

The financial year of the Queensland Branch of the Construction, Forestry, Mining and Energy Union (the reporting unit) ended on 31 December 2013.

This is a courtesy letter to remind you of the obligation to prepare and lodge the financial report for the reporting unit by the due date, namely 15 July 2014 (being the expiry date of 6 months and 14 days from the end of the financial year), under s.268 of the RO Act.

The RO Act sets out a particular chronological order in which financial documents and statements must be prepared, audited, provided to members and presented to a meeting. For your assistance, the attached *Timeline/Planner* summarises these requirements.

Fact sheets and guidance notes in relation to financial reporting under the RO Act are provided on the Fair Work Commission website. Additionally, the General Manager's updated Reporting Guidelines, that apply to all financial reports prepared on or after 30 June 2013, are also available on the website as is our webinar on the financial Reporting Guidelines.

The Fair Work Commission has also developed a model set of financial statements for the 2012-2013 financial year. There is no requirement to use this model but it may be a useful resource to ensure compliance with the RO Act, the Reporting Guidelines and the Australian Accounting Standards. All of the above information can be accessed through our website under [Compliance & litigation](#).

The financial report and any statement of loans, grants or donations made during the financial year [statement must be lodged within 90 days of end of financial year] can be emailed to [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au). A sample statement of loans, grants or donations is available at [sample documents no.5](#)

**It should be noted that s.268 is a civil penalty provision.** Failure to lodge a financial report may result in legal proceedings being issued with the possibility of a pecuniary penalty (up to \$51,000 for a body corporate and \$10,200 for an individual per contravention) being imposed upon an officer whose conduct led to the contravention and/or your organisation.

Should you seek any clarification in relation to the above, please contact me on (03) 8661 7936 or via email at [robert.pfeiffer@fwc.gov.au](mailto:robert.pfeiffer@fwc.gov.au).

Yours sincerely,

Robert Pfeiffer  
Senior Adviser  
Regulatory Compliance Branch

## TIMELINE/ PLANNER

Financial reporting period ending:	/ /	
Prepare financial statements and Operating Report.		
<p>(a) A Committee of Management Meeting must consider the financial statements, and if satisfied, pass a resolution declaring the various matters required to be included in the Committee of Management Statement.</p> <p>(b) A # designated officer must sign the Statement which must then be forwarded to the auditor for consideration as part of the General Purpose Financial Report (GPFR).</p>	/ /	As soon as practicable after end of financial year
Auditor's Report prepared and signed and given to the Reporting Unit - s257	/ /	<p>Within a reasonable time of having received the GPFR</p> <p>(NB: Auditor's report must be dated on or after date of Committee of Management Statement</p>
<p>Provide full report free of charge to members – s265</p> <p>The full report includes:</p> <ul style="list-style-type: none"> <li>the General Purpose Financial Report (which includes the Committee of Management Statement);</li> <li>the Auditor's Report; and</li> <li>the Operating Report.</li> </ul>	/ /	<p>(a) if the report is to be presented to a General Meeting (which must be held within 6 months after the end of the financial year), the report must be provided to members 21 days before the General Meeting,</p> <p>or</p> <p>(b) in any other case including where the report is presented to a Committee of Management meeting*, the report must be provided to members within 5 months of end of financial year.</p>
Present full report to:		
(a) General Meeting of Members - s266 (1),(2); OR	/ /	Within 6 months of end of financial year
(b) where the rules of organisation or branch allow* - a Committee of Management meeting - s266 (3)	/ /	Within 6 months of end of financial year
Lodge full report with the Fair Work Commission, together with the #Designated Officer's certificate++ – s268	/ /	Within 14 days of meeting

\* the full report may only be presented to a committee of management meeting if the rules of the reporting unit provide that a percentage of members (not exceeding 5%) are able to call a general meeting to consider the full report.

# The Committee of Management Statement and the Designated Officer's certificate must be signed by the Secretary or another officer who is an elected official and who is authorised under the rules (or by resolution of the organisation) to sign the statement or certificate – s243.

++ The Designated Officer's certificate must state that the documents lodged are copies of the documents provided to members and presented to a meeting in accordance with s266 – dates of such events must be included in the certificate. The certificate cannot be signed by a non-elected official.