



FAIR WORK  
AUSTRALIA

19 May 2010

Mr Scott McLean  
State Secretary, Tasmania Branch  
Construction, Forestry, Mining and Energy Union  
33A New Town Road  
NEW TOWN TAS 7008

Dear Mr McLean

**Re: Application for certificate of exemption from requirements of Chapter 8, Part 3 of *Fair Work (Registered Organisations) Act 2009* (FR2008/560)**

I refer to your application for the above certificate in respect of the Tasmania Branch of the Construction, Forestry, Mining and Energy Union for the financial year ending 31 December 2008.

I have granted the application. 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 – Exemption from requirements of Part 3 in respect of financial year

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

(FR2008/560)

BARRY JENKINS

SYDNEY, 19 MAY 2010

*s.271 Certificate*

[1] On 14 May 2010 an application was made under section 271(1) of the *Fair Work (Registered Organisations) Act 2009* for a certificate of exemption by the Construction, Forestry, Mining and Energy Union, Tasmania Branch, in respect of the financial year ending 31 December 2008.

[2] I allow an additional period of time for the application to be made up to the date on which the application was lodged.

[3] I CERTIFY that I am satisfied that the branch did not have any financial affairs in the financial year ending 31 December 2008.



DELEGATE OF THE GENERAL MANAGER  
FAIR WORK AUSTRALIA

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31 December 2008

The General Manager  
Fair Work Australia  
Level 8 – Terrace Towers  
80 William Street  
East Sydney NSW 2011



Attention: Stephen Kellett

**Re: Application for Certificate of Exemption from Financial Reporting under S271 RAO Schedule**

**Construction**

**Forestry**

**Mining &**

**Energy**

**Union**

I am Secretary of the Construction Forestry Mining and Energy Union, Tasmanian Branch (“the Branch”) and have occupied that position for the financial year ending 31 December 2008 (“the financial year”). I am authorized under the rules to act on behalf of the Branch.

Pursuant to S271 of the Registration and Accountability of Organisations Schedule (Schedule 1B) of the Workplace Relations Act 1996 (referred to as “the RAO Schedule”), I hereby apply for a Certificate of Exemption for the Branch in respect of the financial year.

In support of this application, and in compliance with Regulation 165 of the Workplace Relations (Registration and Accountability of Organisations) Regulations, I submit the following circumstances for consideration prior to issuing a certificate of exemption from the requirements as follows:

- a. The Branch does not expend economic resources or incur any financial obligations to conduct its activities;
- b. The Construction Forestry Mining and Energy Union – Forestry & Furnishing Products Division – Tasmanian Branch expends its own economic resources and incurs financial obligations so that the Branch may conduct its activities.
- c. No person or body corporate or trust expends its own economic resources or incurs financial obligations so that the Branch may conduct its activities.

Further 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.

State President:

**CHRIS HINDS**  
54 Elizabeth Street  
Georgetown TAS 7253

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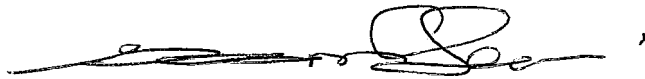
State Secretary:

**SCOTT MCLEAN**  
PO Box 1562  
Launceston TAS 7250

Telephone: (03) 63 317 955  
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3. The CFMEU and each Division and Divisional (or District) Branch thereof submit annual financial returns in accordance with the Act.
4. The CFMEU State Branches, including the Branch, consist of members and officers of each Divisional (or District) Branch in each State or Territory.
5. As outlined in point a. above, 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 a Bank or any other financial institution nor has it had custody or 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 relation to branches.

Yours faithfully



**Scott McLean**  
**Divisional State Secretary**  
**CFMEU Tasmanian Branch**

cc C Hinds & T Benson



FAIR WORK  
AUSTRALIA

16 April 2010

Mr Scott McLean  
State Secretary, Tasmania Branch  
Construction, Forestry, Mining and Energy Union  
33A New Town Road  
NEW TOWN TAS 7008



Dear Mr McLean

**Re: Financial Reporting – Construction, Forestry, Mining and Energy Union, Tasmania Branch –  
for year ending 31 December 2008 (FR2008/560)**

There is no record of any lodgement by the above Branch of any application under s271 for an exemption on the basis of no financial affairs, as has been the practice in past years.

I am conscious that in a couple of months, a financial return for the year ending 31 December 2009 (FR2009/10236) will also become due, and so now is the time for the Branch to seek an exemption in respect of that year as well. (Two separate applications should be lodged).

While ever an exemption from reporting financially has not been applied for and granted, the obligation to lodge a financial return remains.

If there are circumstances preventing lodging such applications at present, I would appreciate your advice clarifying those reasons.

Yours respectfully,

Stephen Kellett

Statutory Services Branch

12 January 2010



Mr Scott McLean,  
Secretary, Tasmania Branch  
Construction, Forestry, Mining and Energy Union  
33A New Town Road  
NEW TOWN TAS 7008



Fair Work  
Australia

Dear Mr McLean

**Financial Reporting – Tasmania Branch - for year ended 31 December 2008 (FR2008/560)**

This is a reminder letter regarding the outstanding financial reporting obligations under the *Fair Work (Registered Organisations) Act 2009* ('the RO Act') in respect of the Tasmania 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. However, our records do not indicate that such an application was made in respect of the financial year ending 31 December 2008. This is therefore significantly overdue.

If an application under s271 for this particular year is appropriate, it should be lodged as soon as possible. (I have also written to you in relation to the financial year recently ended, on 31 December 2009. If the same circumstances apply, it will mean that you must lodge two separate applications, one for each year.)

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

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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0429 462 979  
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Email : [stephen.kellett@fwa.gov.au](mailto:stephen.kellett@fwa.gov.au)  
Internet : [www.fwa.gov.au](http://www.fwa.gov.au)



**Australian Government**  
**Australian Industrial Registry**

13 January 2009

Mr Scott McLean  
State Secretary, Tasmania Branch  
Construction, Forestry, Mining and Energy Union  
33a New Town Road  
NEW TOWN TAS 7008



Dear Mr McLean

**Lodgement of Financial Statements and Accounts – Tasmania Branch –  
Schedule 1 of *Workplace Relations Act 1996* (RAO Schedule) -  
for year ended 31 December 2008 (FR2008/560)**

The financial year of the Construction, Forestry, Mining and Energy Union, Tasmania Branch has recently ended. This is a courtesy letter to remind the Branch of the obligations imposed by the RAO Schedule regarding the preparation of financial accounts and statements.

I direct your attention to our website <http://www.airc.gov.au/registered/FR/information.htm> where relevant detailed information may be found. This includes Fact sheets (Sheet 6 – *Accounting, Auditing and Reporting Obligations*; Sheet 7 – *Information Needs of Members*; Sheet 8 – *Financial Reporting Process and Time Limits*; Sheet 9 – *Diagrammatic Summary of Financial Reporting Process and Time Limits*; and Sheet 10 – *Auditors*), Sample Documents (a sample Committee of Management Statement and Designated Officer's Certificate); the RAO Schedule and RAO Regulations; and Registrar's Reporting Guidelines (setting out requirements that must be met in addition to those required by Australian Accounting Standards).

In previous years the Branch has applied under s271(1) for a certificate of exemption from Chapter 8, Part 3 of the RAO Schedule and if this applies again I encourage you to lodge your application as soon as practicable.

The Registry strongly encourages you to lodge applications/documents electronically by sending an email with the documents attached to [orgs@airc.gov.au](mailto:orgs@airc.gov.au). Alternatively, you may wish to send the documents by fax to (02) 9380 6990.

If you need any further information or assistance please contact me on 0429 462 979 or by email at [stephen.kellett@airc.gov.au](mailto:stephen.kellett@airc.gov.au).

Yours sincerely,

Stephen Kellett  
Statutory Services Branch