



FAIR WORK
COMMISSION

29 April 2013

Mr Scott McLean
State Secretary
Tasmanian Branch
Construction, Forestry, Mining and Energy Union
PO BOX 1562
LAUNCESTON TAS 7250

Dear Mr McLean

**S.271 Certificate of Exemption - Construction, Forestry, Mining and Energy Union,
Tasmanian Branch - for year ending 31 December 2012 (FR2012/535)**

I refer to the applications dated 16 January and 3 February 2013 which were lodged with the Fair Work Commission on 18 March and 9 April 2013 respectively for a certificate of exemption under s271 of the *Fair Work (Registered Organisations) Act 2009* in respect of the Tasmanian Branch of the Construction, Forestry, Mining and Energy Union for the financial year ending 31 December 2012.

The application has been granted and the certificate is enclosed.

Yours sincerely

David Vale
Principal Adviser
Regulatory Compliance Branch
Fair Work Commission



FAIR WORK
COMMISSION

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
(FR2012/535)

AILS A CARRUTHERS

MELBOURNE, 23 APRIL 2013

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

[1] On 18 March 2013 the Tasmanian Branch of the Construction, Forestry, Mining and Energy Union lodged an application with the Fair Work Commission seeking an exemption from complying with certain financial reporting requirements under s. 271 of Schedule 1 to the *Workplace Relations Act 1996*, being the name of the relevant legislation prior 1 July 2009. From 1 July 2009 Schedule 1 to the *Workplace Relations Act 1996* has been known as the *Fair Work (Registered Organisations) Act 2009*.

[2] On 9 April 2013 a subsequent application was made under s.271(1) of the *Fair Work (Registered Organisations) Act 2009* by the Tasmanian Branch of the Construction, Forestry, Mining and Energy Union (the reporting unit) for a certificate of exemption in respect of the financial year ended 31 December 2012.

[3] The application states that:

- the reporting unit does not expend economic resources or incur any financial obligations to conduct its activities;
- the Forestry and Furnishing Products Division within the State of Tasmania expends its own economic resources and incurs financial obligations so that the reporting unit may conduct its activities; and
- no person or body corporate or trust expends its own economic resources or incurs financial obligations so that the reporting unit may conduct its activities.

[4] I am satisfied that the reporting unit did not have any financial affairs in respect of the financial year ended 31 December 2012.



DELEGATE OF THE GENERAL MANAGER
FAIR WORK COMMISSION

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3 February 2013

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



Attention: David Vale

Re: Application for Certificate of Exemption from Financial Reporting under the Fair Work (Registered Organisations) Act 2009.

I am the 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 2012 (the financial year). I am authorized under the rules to act on behalf of the Branch.

Pursuant to the Fair Work (Registered Organisations) Act 2009 I hereby apply for a Certificate of Exemption for the Branch in respect to the financial year.

In support of the application and in compliance with, Fair Work (Registered Organisations) Act 2009 I submit the following circumstances for consideration prior to issuing a certificate of exemption from the requirements as follows:

- The Branch does not expend economic resources or incur any financial obligations to conduct its activities;
- The Construction Forestry Mining and Energy Union- Forestry and Furnishing Products Division- Tasmanian Branch expends its own economic resources and incurs financial obligations so that the Branch may conduct its activities
- 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. (or in the case of the Mining and Energy Division and the Forestry and Furnishing Products Division ("District Branches") within these Divisions. Such Divisional or (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 returns in accordance with the act.
4. The CFMEU and each Division 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 any financial transactions of any kind during this financial year.
6. The Branch has not had an account with a bank or any other financial institution or has it had custody of any real money or properties this 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 in relation to Branches

Yours Sincerely

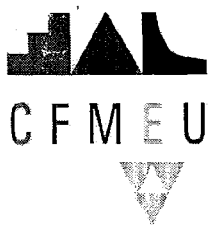
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Scott McLean

State Secretary

CFMEU Tasmania

FR 2012/535



Construction
Forestry
Mining &
Energy
Union

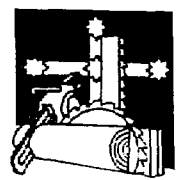
TASMANIAN DISTRICT
237 Wellington Street
(PO Box 1562)
LAUNCESTON TAS 7250

Phone: (03) 6331 7955
Fax: (03) 6334 2935
Email: cfmeutas@bigpond.net.au

Secretary
SCOTT MCLEAN
Mobile: 0418 131 901

President
CHRIS HINDS
Mobile: 0418302704

Assistant Secretary
TONY BENSON
Mobile: 0417015258



16 January 2013

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 ROA Schedule**

I am the 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 2012 (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 1 B) of the Workplace Relations Act 1996 (referred to as the ROA Schedule) I hereby apply for a Certificate of Exemption for the Branch in respect to the financial year.

In support of the 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:

CFMEU Tasmania (The Branch) does not expend economic resources or incur any financial obligations to conduct its activities.

The Construction Forestry Mining and Energy Union- Forestry and Furnishing Products Division- Tasmanian Branch expends it own economic resources and incurs financial obligations so that the Branch may conduct its activities.

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:

The CFMEU consists of a number of Divisions (or in the case of the Mining and Energy Division and the Forestry and Furnishing Products Division “District Branches”) within these Divisions. Such Divisional or (or District) Branches function within a designated geographical area, in most cases being the State of Territory in which they are established.

The CFMEU and each Division and Divisional (or District) Branch thereof submit annual returns in accordance with the act.

The CFMEU and each Division including the Branch, consist of members and Officers of each Divisional (or District) Branch in each State or Territory.

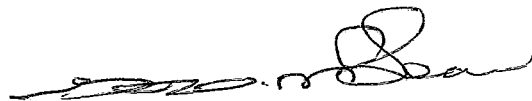
As outlined in point a above the Branch has not traded or carried out any financial transactions of any kind during this financial year.

The Branch has not had an account with a bank or any other financial institution or has it had custody or any real money or properties this financial year.

Accordingly the Branch had no reason to keep accounting records during the financial year.

Notwithstanding the above the Branch has functioned in accordance with the rules of the CFMEU including the rules in relation to Branches

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Scott McLean', with a stylized flourish at the end.

**Scott McLean
State Secretary**