



FAIR WORK
COMMISSION

1 October 2013

Mr Christopher Gregory Hinds
State Executive officer
Tasmanian District Branch
Mining and Energy Division
Construction, Forestry, Mining and Energy Union
PO Box 72
GEORGE TOWN TAS 7253

Also by fax: (03) 6382 4011

Dear Mr Hinds

Re: Lodgement of Financial Accounts and Statements – Construction, Forestry, Mining and Energy Union - Mining and Energy Division Tasmanian District Branch - for year ended 31 December 2012 (FR2012/534)

I refer to the above financial statements and accounts which were lodged with the Fair Work Commission (FWC) on 4 April 2013. I also refer to your letter dated 30 September 2013 which provided comment and clarification of several issues and was in response to a letter sent to you on 16 September 2013 by the FWC.

The financial report has now been filed.

I make the following comments to assist you when you next prepare a financial report. You are not required to take any further action in respect of the report lodged. The Fair Work Commission will confirm these concerns have been addressed prior to filing next year's report.

Designated officer's certificate

I note that the designated officer's certificate has erroneously used a FWC reference of FR2012/5341 instead of FR2012/534 for the financial report. Please ensure the correct reference is used in the future.

References to legislation

In future years please ensure that all financial documents refer to the relevant provisions of the current legislation:

- *Fair Work (Registered Organisations) Act 2009 - (RO Act)*
- *Fair Work (Registered Organisations) Regulations 2009.*

The Reporting Guidelines previously issued by the Industrial Registrar continue to apply under the above legislation.

Auditor's report

Doesn't address all parts of General Purpose Financial Report (GPFR)

The audit report must satisfy the Australian Auditing Standards (ASA) for a GPFR. In particular, the scope of the audit report should refer to a complete GPFR, including a statement of changes in equity and should be addressed to the members of the branch (ASA 700).

Should refer to Committee of Management Statement

The scope of the auditor's report on the full financial report should also include the committee of management statement (RO Act section 253(2)(c) and item 24 of the reporting guidelines).

In future years please ensure that the scope of the auditor's report includes both the statement of changes in equity and the committee of management statement.

Disclosure of contributions to/from another reporting unit

Reporting Guideline 10(b) requires that where contributions from another reporting unit are received, the amount and the name of each reporting unit are to be disclosed in either the profit and loss statement or the notes. Also, Reporting Guideline 15 requires that where another reporting unit of the organisation is the source of a cash inflow or the application of cash outflow, such cash flow should be separately disclosed and that the name of the other reporting unit be shown in the notes.

If contributions are made or received from another reporting unit of the union, any such contributions and the name(s) of the reporting unit(s) should be disclosed either in the income statement or the notes. Also the name(s) of the reporting unit(s) and the amount of any cash flows between reporting units are to be disclosed in the notes.

The documents have been filed. There is no further action required in respect of this return. If you wish to discuss any aspect of the financial reporting requirements, please do not hesitate to contact me via email at orgs@fwc.gov.au.

Yours sincerely,



Michael Moutevelis
Assistant Adviser
Regulatory Compliance Branch
Fair Work Commission

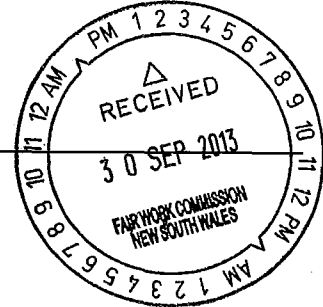


**Construction, Forestry, Mining &
Energy Union**
Mining & Energy Division



Tasmanian District Branch

State Executive Officer: Chris Hinds
PO BOX 72
GEORGE TOWN TAS 7253
Phone/Fax 03 6382 4011
Mob 0418 302 704
Date: 30th Sept 2013



Fair Work Commission
80 William St
East Sydney
NSW 2011

Dear Michael/ Stephen

The District would like to clarify the following points as requested by the letter dated the 16th September 2013:

- ❖ I confirm that all membership subscriptions are reported on an accrual basis, as required by the RO Act and Australian Accounting Standards. Please note all future audits will state clearly that membership subscriptions will be reported on an accrual basis.
- ❖ The Tasmanian District Branch, as far as practicable, keeps its accounts consistently with other Branches within the Division. The Board of Management will in the future state this, and make the standard declaration in future Committee of Management Statements.
- ❖ The Tasmanian Divisional Contribution figure is greater than the Divisional Office's sustentation figure because the District Branch figure includes other category of payments beside 'sustentation'; namely National Assistance Fund. Future reports will be separately and clearly distinguished from other kinds of contributions, and steps will be taken to ensure, as far as practicable that they are reported consistently.

I hope the points raised by your office have been clarified in this letter, please contact me if you have any queries.

Yours in Sincerely

Chris Hinds
State Executive Officer

16 September 2013



Mr Christopher Gregory Hinds
State Executive officer
Tasmanian District Branch
Mining and Energy Division
Construction, Forestry, Mining and Energy Union
PO Box 72
GEORGE TOWN TAS 7253

Also by fax: (03) 6382 4011

Dear Mr Hinds

Re: Lodgement of Financial Accounts and Statements – Construction, Forestry, Mining and Energy Union - Mining and Energy Division Tasmanian District Branch - for year ended 31 December 2012 (FR2012/534)

I acknowledge receipt of the financial report of the Tasmanian District Branch of the Mining and Energy Division of the Construction, Forestry, Mining and Energy Union for the year ended 31 December 2012. The documents were lodged with the Fair Work Commission on 4 April 2013.

I write to clarify and seek your comments on the following issues prior to the filing of the report.

Member subscriptions on accrual basis

Note 1 of your financial statements states *"The financial report has been prepared on an accruals basis"*. Note 1(d) states *"Revenue from member subscriptions is recognised on the receipt of cash from the member"*. It is unclear whether revenue from member subscriptions has been reported on an accruals basis as required by the RO Act and Australian Accounting Standards.

Section 252(4) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) permits an organisation to *keep* the financial records for its membership subscriptions on a cash basis.

However section 253 requires that *'...a reporting unit must cause a general purpose financial report to be prepared, in accordance with the Australian Accounting Standards, from the financial records kept under subsection 252(1) in relation to the financial year...'*. The relevant Australian Accounting Standard is paragraph 27 of Australian Accounting Standard 101 which states *'an entity shall prepare its financial statements, except for cash flow information, using the accrual basis of accounting'*.

Thus the option of keeping member subscription records on a cash basis must be distinguished from the obligation to report member subscriptions on an accruals basis.

Committee of management statement - form of declaration

Paragraph (e)(iv) of your Committee of Management statement declares *"it has not been practical for the Committee to ascertain whether the financial records of the CFMEU-Mining & Energy Union Tasmanian District Branch have been kept in a consistent manner to each of the other reporting units of the Union."*

I note that the Branch has made a similar declaration in all Committee of Management Statements in previous years.

Terrace Towers Telephone: (02) 8374 6666
80 William Street International: (612) 8374 6666
East Sydney NSW 2011 Facsimile: (02) 9380 6990
Email: sydney@fwc.gov.au

FWC (as known under its predecessor names) does not appear to have previously commented on this form of the declaration that is referred to in paragraph 25 of the Reporting Guidelines, which requires that the committee of management statement include a declaration as to whether in the opinion of the committee:

- *“where the organisation consists of 2 or more reporting units, the financial records of the reporting unit have been kept, as far as practicable, in a consistent manner to each of the other reporting units of the organisation”*

That this opinion ought to be able to be that ‘as far as practicable’ the financial records *have been kept in a consistent manner* to the other reporting units of the organisation, is indicated by the requirement of subsection 252(2) of the RO Act which provides that where an organisation consists of 2 or more reporting units, the financial records for each of the reporting units “*must, as far as practicable, be kept in a consistent manner.*” Note 1 to subsection 252(2) explains what is meant by “*a consistent manner*”. It explains “*This would involve, for example, the adoption of consistent accounting policies and a common chart of accounts for all reporting units in the organisation.*” (An exception for difference is the keeping of member subscription records on a cash basis if a reporting unit so elects.)

Clearly, across the board consistency in accounting policies and accounts is a matter that would be facilitated by common policy and agreement at the Divisional level. It is qualified in the words of the RO Act by only being “*as far as practicable*”. Further, it might be thought that if a reporting unit is complying with the relevant Accounting Standards and its report complies with the various category and account disclosures required by the RO Act, then, to the extent that every reporting unit within the Division is similarly required to comply, the committee ought to be able to form the opinion that its records are consistent and make the declaration to that effect.

Contributions from/to another reporting unit - query

The Profit and Loss statement discloses a Central Council Contribution for the 2012 financial year of (\$52,308). This figure does not correspond to the sustentation fee of \$28,314 charged to the Tasmanian Branch reported at paragraph 15(b)(iii) of the Notes to the 2012 financial report for the Mining and Energy Divisional Office. I attach the relevant extract from that report for your reference.

If these figures represent the same transaction, there is no immediate explanation for the difference. If necessary I will also write to the Divisional office but you may be able to clarify the matter.

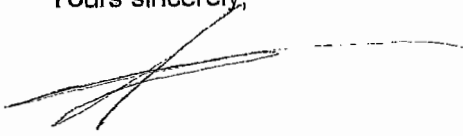
Summary

Accordingly, I seek your comments as follows:

- Whether the membership subscription information as reported/disclosed in the report is presented on an accrual basis or a cash basis; and if, the latter, your undertaking to report member subscriptions on an accrual basis even if you continue to keep the original account records through the year on a cash basis;
- Clarify if any practical actions have been undertaken to ascertain and/or ensure that the financial records of your reporting unit have been kept, as far as practicable, in a consistent manner to each of the other reporting units in the Division; and/or whether you anticipate any ongoing difficulties in complying with the Act as far as practicable and making the appropriate declaration;
- Clarify why the Central Council Contribution figure disclosed in your financial report differs from the sustentation figure reported by the Division.

Could you please provide a written response to the above issues marked to my attention at the address below. Please don't hesitate to contact me on email at orgs@fwa.gov.au if you wish to discuss or clarify any of the above before replying.

Yours sincerely,



Michael Moutevelis
Assistant Adviser
Regulatory Compliance Branch
Fair Work Commission

Terrace Towers
Level 8, 80 William Street
East Sydney NSW 2011

Telephone: (02) 8374 6666
International: (612) 8374 6666
Facsimile: (02) 9380 6990
Email: orgs@fwc.gov.au

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2012**

15. RELATED PARTY INFORMATION

Continued....

(b) RELATED PARTY TRANSACTIONS

Other related parties

- i) Office space was rented to the CFMEU – Mining and Energy Division, New South Wales Energy District during the year. Commercial rent totalling \$12,000 (2011: \$12,000) was charged by the Union.
- ii) Sustainment fees totalling \$297,187 (2011: \$212,256) were charged by the Construction, Forestry, Mining and Energy Union during the year.
- iii) Sustainment fees were charged to the following Districts during the year:-

	2012	2011
	\$	\$
Queensland	2,909,035	2,703,688
Northern	2,881,958	2,374,599
South Western	1,284,298	1,179,651
NSW Energy	177,346	177,346
Western Australia	292,562	275,056
Victorian	248,529	242,629
Tasmanian	28,314	28,314
South Australia	4,392	16,564
	<u>7,826,434</u>	<u>6,997,847</u>

(c) RELATED PARTY BALANCES

Associated companies

- i) As at balance date there was a loan of \$1,674,166 receivable from Abelsore Pty Limited (2011: \$2,176,196)—refer Note 19.

16. KEY MANAGEMENT PERSONNEL COMPENSATION

	2012	2011
	\$	\$
Total Compensation		
The totals of remuneration paid to key management personnel (KMP) of the Company during the year are as follows:		
Key management personnel compensation	<u>1,214,725</u>	<u>1,051,228</u>

17. ORGANISATION DETAILS

The Union is a Trade Union registered and domiciled in Australia. The registered office and principle place of business of the Union is: Level 11, 215-217 Clarence St, Sydney NSW 2000.

From: [Chris Hinds](#)
To: [Orgs](#)
Subject: 2012 Audit CFMEU Mining & Energy Division Tasmanian District Branch
Date: Thursday, 4 April 2013 3:01:23 PM
Attachments: [Perscribed Officers Certificate 2012.pdf](#)
[Full report provided 2012.pdf](#)
[General Purpose.pdf](#)

To whom it may concern,

The Auditor has addressed all matters that you brought to our attention with the 2011 audit. I would also like to point out that the District only has one full time official.
Hope that it meets with your approval.

Regards



Chris Hinds
State Executive Officer
Tasmanian District
PO Box 72
George Town TAS 7253
Ph/Fax: 03 6382 4011 Mob: 0418 302 704

**CONSTRUCTION, FORESTRY, MINING & ENERGY UNION
Mining & ENERGY DIVISION TASMANIAN DISTRICT BRANCH**

**FINANCIAL REPORTS FOR THE YEAR ENDED 31 DECEMBER 2012
(FR2012/5341)**

CERTIFICATE BY SECRETARY OR PRESCRIBED OFFICER

I Christopher Gregory Hinds being the State Executive Officer of the Construction, Forestry, Mining & Energy Union of Mining & Energy Division, Tasmanian District Branch certify:

- That the documents lodged herewith are copies of the full report, referred to in s268 of the Fair Work (RAO Schedule) Act 2009; and
- That the full report was provided to members on 4th March 2013; and
- That in accordance with s266 of the Fair Work (Registered Organisations) Act 2009 following presentation to a second meeting of the committee of management of the reporting unit on 28th Feb 2013 the full report was further presented to a series of Lodge members' meetings which endorsed the report in accordance with the rules, held from 26nd March 2013 to 3rd April.

Signed: Christopher G. Hinds



Date: 4th April 2013

**CONSTRUCTION, FORESTRY, MINING & ENERGY UNION
MINING & ENERGY DIVISION TASMANIAN DISTRICT BRANCH**

**FINANCIAL REPORTS FOR THE YEAR ENDED 31 DECEMBER 2012
(FR2012/5341)**

Resolution BOM Tasmanian District Branch Financial Report

A copy of the full report will be provided on request to members in accordance with s265 (5) (a) and s266 (1) & (2) of the (Registered Organisations) Fair Work Act 2009

Moved & Seconded

Signed: Christopher G. Hinds

A handwritten signature in black ink, appearing to be 'CH' or similar initials, written in a cursive style.

Date: 28th Feb 2013

**CONSTRUCTION, FORESTRY, MINING & ENERGY UNION - MINING & ENERGY
DIVISION
TASMANIAN BRANCH**

**PROFIT & LOSS
FOR THE YEAR ENDED 31 DECEMBER 2012**

	NOTES	2012 \$	2011 \$
Revenues from ordinary activities	3	198,235	202,116
Affiliation Fees - ALP		-	(515)
Central Council - Contribution		(52,308)	(51,945)
Employee Expenses - Office Holders		(66,810)	(94,243)
Depreciation and amortisation expenses		(8,507)	(6,013)
Other expenses from ordinary activities		(47,733)	(41,244)
Profit from Ordinary activities before income tax expense	4	22,877	8,156
Income tax expense relating to ordinary activities	1	-	-
Profit or loss from ordinary activities after income tax expense		22,877	8,156
Profit or loss from abnormal items after income tax expense		10,131	-
Profit or loss from extraordinary items after income tax expense		-	-
Total Changes in equity of the union		33,008	8,156

**CONSTRUCTION, FORESTRY, MINING & ENERGY UNION - MINING & ENERGY
DIVISION
TASMANIAN BRANCH**

**BALANCE SHEET
FOR THE YEAR ENDED 31 DECEMBER 2012**

	NOTES	2012 \$	2011 \$
CURRENT ASSETS			
Cash	5	<u>144,887</u>	<u>131,016</u>
TOTAL CURRENT ASSETS		<u>144,887</u>	<u>131,016</u>
NON-CURRENT ASSETS			
Property, Plant & Equipment	6	41,693	22,556
Shares in Other Companies		<u>10</u>	<u>10</u>
TOTAL NON-CURRENT ASSETS		<u>41,703</u>	<u>22,566</u>
TOTAL ASSETS		<u>186,590</u>	<u>153,582</u>
NET ASSETS		<u>186,590</u>	<u>153,582</u>
EQUITY			
Retained Profits	7	<u>186,590</u>	<u>153,582</u>
TOTAL EQUITY		<u>186,590</u>	<u>153,582</u>

**CONSTRUCTION, FORESTRY, MINING & ENERGY UNION - MINING &
ENERGY DIVISION
TASMANIAN BRANCH**

**STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 31 DECEMBER 2012**

	NOTES	Retained Earnings \$	Total \$
Balance 30 June 2010		145,426	145,426
Profit as per Financials		<u>8,156</u>	<u>8,156</u>
Balance 30 June 2011		153,582	8,156
Profit as per Financials		<u>33,008</u>	<u>33,008</u>
Balance 30 June 2012	9	<u><u>186,590</u></u>	<u><u>186,590</u></u>

**CONSTRUCTION, FORESTRY, MINING & ENERGY UNION - MINING & ENERGY
DIVISION
TASMANIAN BRANCH**

**STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 31 DECEMBER 2012**

	NOTES	2012 \$	2011 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts from members		128,815	135,547
Payments to suppliers and employees		(166,851)	(187,947)
Interest received		4,118	3,982
Other		65,302	62,587
Net cash provided from operating activities	8(a)	31,384	14,169
CASH FLOWS FROM INVESTING ACTIVITIES			
Purchases of Motor Vehicle		(40,513)	-
Purchase of Shares in other companies		-	-
Proceeds from sale of fixed assets		23,000	15,813
Purchase of equipment		-	(1,280)
Net cash flow from investing activities		(17,513)	14,533
Net increase / (decrease) in cash held		13,871	28,702
Cash at the beginning of the financial year		131,016	102,314
Cash at the end of the financial year	8(b)	144,887	131,016

**CONSTRUCTION, FORESTRY, MINING & ENERGY UNION - MINING & ENERGY DIVISION
TASMANIAN BRANCH**

**STATEMENT OF RECEIPTS & PAYMENTS
FOR RECOVERY OF WAGES ACTIVITY
FOR YEAR ENDED 31 DECEMBER 2012**

	2012	2011
	\$	\$
Cash assets in respect of recovered money at 1 January 2010		
 RECEIPTS		
Amounts recovered from employers	-	-
Interest received on recovered monies	-	-
	-	-
Total Receipts	-	-
 PAYMENTS		
Deductions of amounts due in respect of membership for:		
12 months or less	-	-
greater than 12 months	-	-
Deductions of donations or other contributions of:		
the reporting unit	-	-
other entity	-	-
Deductions of fees or reimbursement of expenses	-	-
Payments to workers in respect of recovered monies	-	-
	-	-
Total Payments	-	-
Cash assets in respect of recovered money at 31 December 2011	-	-

**CFMEU - MINING & ENERGY UNION
TASMANIAN BRANCH**

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2012**

Note 1 - Statement of Significant Accounting Policies

This financial report is a general purpose financial report that has been prepared in accordance with Australian Accounting Standards and guidelines set out in Schedule 1 (RAO Schedule) of the Workplace Relations Act 1996.

The financial report has been prepared on an accruals basis and is based on historic costs and does not take into account changing money values, or except where stated, current valuations of non-current assets. Cost is based on the fair values of the consideration given in exchange for assets.

The following is a summary of the material accounting policies adopted by the union in preparation of the financial report. The accounting policies have been consistently applied, unless otherwise stated.

(a) Income Tax

No provision for income tax is necessary as 'Trade Unions' are exempt from income tax under section 50-15 of the Income Tax Assessment Act (1997).

(b) Property, Plant and Equipment

Plant and Equipment is measured on the cost basis.

The carrying amount of plant and equipment is reviewed annually by the union to ensure it is not in excess of the recoverable amount from those assets. The recoverable amount is assessed on the basis of the expected net cash flows which will be received from the assets employment and subsequent disposal. The expected net cash flows have not been discounted to present values in determining recoverable amounts.

**CFMEU - MINING & ENERGY UNION
TASMANIAN BRANCH**

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2012**

Note 1 - Statement of Significant Accounting Policies (cont'd)

Depreciation

The depreciable amount of all fixed assets are depreciated on both a straight line and diminishing value basis, decided in accordance with the expected usage cycle of the asset. All assets are depreciated over the useful lives of the assets to the union commencing from the time the assets is held ready for use. Depreciation rates vary depending the expected life cycle of the asset.

(c) Cash

For the purpose of the Statement of Cash Flows, cash includes cash on hand, at banks and on deposit.

(d) Revenue

Revenue from member subscriptions is recognised on the receipt of cash from the member.

Interest revenue is recognised upon being credited to the benefit of the union.

**CONSTRUCTION, FORESTRY, MINING & ENERGY UNION - MINING &
ENERGY DIVISION
TASMANIAN BRANCH**

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2012**

Note 2 - Information to be provided to Members or Registrar

In accordance with the requirements of Schedule 1 (RAO Schedule) of the Workplace Relations Act 1996, the attention of members is drawn to the provisions of Sections 272(1), 272(2), 272(3) and 272(4) which read as follows:-

Section 272(1) - A member of an organisation, or a Registrar, may apply to the organisation for specified prescribed information in relation to the organisation to be made available to the person making the application.

Section 272(2) - The application must be in writing and must specify the period within which, and the manner in which, the information is to be made available. The period must not be less than 14 days after the application is given to the organisation.

Section 272(3) - An organisation must comply with an application made under subsection (1).

Section 272(4) - A Registrar may only make an application under subsection (1) at the request of a member of the reporting unit concerned, and the Registrar must provide to a member, information received because of an application made at the request of the member.

**CONSTRUCTION, FORESTRY, MINING & ENERGY UNION - MINING &
ENERGY DIVISION
TASMANIAN BRANCH**

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2012**

CONTINUED:

	2012	2011
	\$	\$
Note 3 - Revenue		
Operating activities		
Members' Contributions	128,815	135,547
Non-operating activities		
Division funding	65,302	62,587
Bank Interest	4,118	3,982
	69,420	66,569
Total Revenue	198,235	202,116

Note 4 - Profit from Ordinary Activities

Profit from ordinary activities before income tax expense
has been determined after :

(a) Expenses

Remuneration of Auditor	1,706	1,815
Meeting and travelling expenses	26,559	21,315
Wages & Salaries		
- Office Holders	66,810	94,243

**CONSTRUCTION, FORESTRY, MINING & ENERGY UNION - MINING & ENERGY DIVISION
TASMANIAN BRANCH**

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2012**

CONTINUED:

	2012	2011
	\$	\$
Note 5 - Cash Assets		
CBA Cheque Account	73,237	63,125
Maritime Credit Union - Access Savings	7,497	7,493
Maritime Credit Union - Term Deposit	64,153	60,398
Total Cash Assets	144,887	131,016
 Note 6 - Property, Plant and Equipment		
Buildings	-	-
Accumulated Depreciation	-	-
	-	-
Plant and equipment at cost	9,295	9,295
Accumulated Depreciation	(8,302)	(7,688)
	993	1,607
Motor vehicles at cost	70,397	53,673
Accumulated Depreciation	(29,697)	(32,724)
	40,700	20,949
Total Property, Plant and Equipment	41,693	22,556

(a) Movements in Carrying Amounts

Movement in the carrying amounts for each class of property, plant and equipment between the beginning and the end of the current financial.

	Buildings	Plant & Equipment	Motor Vehicles	Total
Balance at beginning of year	-	1,607	20,949	22,556
Additions	-	-	40,514	40,514
Disposals	-	-	(23,000)	(23,000)
Profit on sale	-	-	10,130	10,130
Depreciation Expense	-	(614)	(7,893)	(8,507)
Carrying Amount at end of Year	-	993	40,700	41,693

**CONSTRUCTION, FORESTRY, MINING & ENERGY UNION - MINING
& ENERGY DIVISION
TASMANIAN BRANCH**

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2012**

CONTINUED:

	2012	2011
	\$	\$
Note 7 - Retained Profits		
Members' Funds at beginning of the financial year	153,582	145,426
Net Funds attributable to the association	33,008	8,156
Members' Funds at end of the financial year	186,590	153,582

Note 8 - Cash Flow Information

**(a) Reconciliation of Net Cash provided by
Operating Activities to Profit from
Ordinary Activities after Income Tax**

Profit or loss from ordinary activities after income tax expense	22,877	8,156
Non-cash flows in profit from ordinary activities		
Depreciation	8,507	6,013
Net cash provided by operating activities	31,384	14,169

(b) Reconciliation of Cash

CBA Cheque Account	73,237	63,125
Westpac Bank Corporation - Term Deposit	-	-
Maritime Credit Union - Access Savings	7,497	7,493
Maritime Credit Union - Term Deposit	64,153	60,398
Total Cash Held	144,887	131,016

Note 9 - Retained Earnings

Retained Profits at beginning of the financial year	153,582	145,426
Profit for the year	33,008	8,156
Retained Profits at end of the financial year	186,590	153,582

**CFMEU -MINING & ENERGY UNION
TASMANINA DISTRICT BRANCH**

COMMITTEE OF MANAGEMENT STATEMENT

On 28th February 2013 the Committee of Management of the CFMEU -Mining & Energy Union Tasmanian District Branch passed the following resolution in relation to the General Purpose Financial Report (GPFR) of the reporting unit of the financial year ended 31 December 2012.

The Committee of Management declares in relation to the General Purpose Financial Report (GPFR) that in its opinion:

- (a) the financial statements and notes comply with Australian Accounting Standards;
- (b) the financial statements and notes comply with reporting guidelines of the General Manager of FWA;
- (c) the financial statements and notes give a true and fair view of the financial performance, financial position and cash flows of the CFMEU -Mining & Energy Union Tasmanian District Branch for the financial year to which they relate;
- (d) there are reasonable grounds to believe that the CFMEU -Mining & Energy Union Tasmanian District Branch will be able to pay its debts as and when they become due and payable;
- (e) during the financial year to which the GPFR relates and since the end of that year:
 - (i) meetings of the Committee of Management were held in accordance with the rules of the organisation including rules of the branch; and
 - (ii) the financial affairs of the CFMEU -Mining & Energy Union Tasmanian District Branch have been managed in accordance with the rules of the organisation; and
 - (iii) the financial records of the CFMEU -Mining & Energy Union Tasmanian District Branch have been kept and maintained in accordance with the Fair Work (Registered Organisations) Act 2009 and Fair Work (Registered Organisations) Regulations 2009; and
 - (iv) it has not been practical for the Committee to ascertain whether the financial records of the CFMEU -Mining & Energy Union Tasmanian District Branch have been kept in a consistent manner to each of the other reporting units of the Union; and

- (v) to the knowledge of any member of the Committee, there have been no instances where records of the union or other documents have not been furnished, or made available, to members in accordance with the requirements of Sections 272 and 273 of the Fair Work (Registered Organisations) Act 2009; and
 - (vi) no orders have been made by the Commission under Section 273 of the Fair Work (Registered Organisations) Act 2009 during the reporting period.
- (f) in relation to the recovery of wages activity:
- (i) the financial report on recovery of wages activity has been fairly and accurately prepared in accordance with the requirements of the reporting guidelines of the Industrial Registrar; and
 - (ii) the committee of management caused the auditor to include in the scope of the audit required under subsection 257(1) of the Fair Work (Registered Organisations) Act 2009 all recovery of wages activity by the reporting unit in which revenues have been derived for the financial year in respect of the such activity; and
 - (iii) no fees or reimbursements of expenses in relation to recovery of wages activity or donations or other contributions were deducted from moneys recovered from employers on behalf of workers other than reported in the financial report on the recovery of wages activity and the notes to the financial statements; and
 - (iv) that prior to engaging in any recovery of wages activity, the organisation has disclosed to members by way of written policy all fees to be charged or reimbursement of expenses required for recovery of wages activity, and any likely requests for donations or other contributions in acting for a worker in recovery of wages activity; and
 - (v) no fees or reimbursements of expenses in relation to recovery of wages activity or donations or other contributions were deducted from moneys recovered from employers on behalf of workers until distributions of recovered money were made to the workers.

For the Committee of Management:

Christopher Hinds

Title of Office held:

State Executive Officer

Signature:



Dated:

28/2/2013

**CFMEU - MINING & ENERGY UNION
TASMANIA DISTRICT BRANCH**

**OPERATING REPORT
YEAR ENDED 31 DECEMBER 2012**

This report is compiled to meet requirements of Section 254 of the Fair Work (Registered Organisations) Act 2009.

Principal Activities during the Financial Year

The principle activities of the Union during the 2012 Financial Year were as follows:

- Representing individual members in grievance disputes with employers
- Representing all members at various workplaces regarding disputes with employers
- Negotiating Collective Bargaining Agreements resulting in increased wages and conditions for members covered by those Agreements
- Providing certain classes of members with professional indemnity and legal benefits insurance
- Providing members with access to cheap affordable holidays in the three Union holiday homes
- Providing Union Delegates and Worksite Committee members with training and education to enable them to better represent members in the workplace.

Significant Changes in the Union's Financial Affairs during the Year

The net assets of the union increased by \$33,008 during the year ended 31 December 2012, wholly attributable to the sale of Property, Plant & Equipment and the increase in cash held.

Member Resignation

Section 174 of Fair Work (Registered Organisations) Act 2009 states that a member of the Union may resign from membership by written notice addressed and delivered to the State Secretary giving two weeks' notice.

Members who are Trustees of a Superannuation Entity

No members of the union were Trustees of a superannuation entity during the financial year

Number of Members

The number of persons that were members of the union at 31 December 2012 was 173.

Number of Employees

As at 31 December 2012, the number of full-time equivalent persons, excluding casuals, who were employees of the Union, was 1

Members of the Committee of Management

The following persons were members of the Committee of Management of the reporting unit during the 2012 Financial Year.

Christopher Hinds	State Executive Officer	1 January 2012 to 31 December 2012
David Bean	Vice President	1 January 2012 to 31 December 2012
Mark Street	Check Inspector	1 January 2012 to 30 June 2012
Timothy Sutcliffe	Board Member	1 January 2012 to 31 December 2012
Shane Spotswood	Board Member	1 January 2012 to 31 December 2012
Gregory Dawson	Board Member	1 January 2012 to 31 December 2012

Christopher Hinds



State Executive Officer

Dated:

28/2/2013



CAMERONS

INDEPENDENT AUDIT REPORT TO THE MEMBERS OF CFMEU- MINING & ENERGY UNION TASMANIAN BRANCH

Scope

We have audited the general purpose financial report of the CFMEU- Mining & Energy Union Tasmanian Branch for the year ended 31 December 2012 being the Statement of Financial Performance, Statement of Financial Position, Statement of Cash Flows and notes to the financial statements. The Committee of Management is responsible for the general purpose financial report. We have conducted an independent audit of the financial report in order to express an opinion on it to the members of the union.

Our audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance whether the general purpose financial report is free of material misstatement. Our procedures include examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion whether, in all material respects, the general purpose financial report is presented fairly in accordance with Australian Accounting Standards, reporting requirements under the Fair Work (Registered Organisations) Act 2009 and other mandatory professional reporting requirements so as to present a view that is consistent with our understanding of the union's financial position and performance as represented by the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis.

Independence

In conducting our audit, we followed applicable independence requirements of Australian professional and ethical pronouncements.

Audit Opinion

In our opinion the general purpose financial report presents fairly in accordance with applicable Australian accounting standards and the reporting requirements imposed by Part 3 of Chapter 8 of the Fair Work (Registered Organisations) Act 2009 and other mandatory professional reporting requirements the financial position of CFMEU- Mining & Energy Union Tasmanian Branch as at 31 December 2012, and the results of its operations and cash flows for the year then ended.

Our audit encompassed the audit of wages recovery activity CFMEU- Mining & Energy Union Tasmanian Branch for the year ended 31 December 2012 and in our opinion the general purpose financial report on the recovery of wages activity presents fairly in accordance with the requirements of the Industrial Registrar.

GREGORY HARPER
Registered Company Auditor

CAMERONS
46 Cameron Street, Launceston, Tas
Dated: 04/03/2013

www.cameronsaa.com.au
info@cameronsaa.com.au

LAUNCESTON
46-54 Cameron Street
PO Box 1368
Launceston TAS 7250
Phone: 03 6337 7777
Fax: 03 6331 7309
AUSDOC DX 7015

SCOTTSDALE
24 King Street
PO Box 62
Scottsdale TAS 7260
Phone: 03 6352 9999
Fax: 03 6352 2147
AUSDOC DX 72007

DEVONPORT
26 Forbes Street
PO Box 166
Devonport TAS 7310
Phone: 03 6422 7888
Fax: 03 6424 5498
AUSDOC DX 70504

ULVERSTONE
30 The Quadrant
PO Box 401
Ulverstone TAS 7315
Phone: 03 6425 0666
Fax: 03 6425 5089
AUSDOC DX 70507



CAMERONS

CFMEU- MINING & ENERGY UNION
TASMANIAN DISTRICT BRANCH

AUDITOR'S INDEPENDENCE DECLARATION FOR THE YEAR ENDED 31 DECEMBER 2012

I declare that, to the best of my knowledge and belief, during the year ended 31 December 2012 there have been

- i. no contraventions of the auditor independence requirements as set out in the *Corporations Act 2001* in relation to the audit; and
- ii. no contraventions of any applicable code of professional conduct in relation to the audit.

GREGORY HARPER
Registered Company Auditor

CAMERONS
46 Cameron Street
LAUNCESTON TAS 7250

Dated: 04/03/2013.



FAIR WORK
COMMISSION

18 January 2013

Mr Chris Hinds
State Executive Officer - Central Councillor
Construction, Forestry, Mining and Energy Union-Mining and Energy Division Tasmanian District
Branch
Sent by email: chris.hinds6@bigpond.com

Dear Mr Hinds,

Re: Lodgement of Financial Report - [FR2012/534]

Fair Work (Registered Organisations) Act 2009 (the RO Act)

The financial year of the Construction, Forestry, Mining and Energy Union-Mining and Energy Division Tasmanian District Branch (the reporting unit) ended on 31 December 2012.

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 2013 (that is the period within 6 months and 14 days of 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 regarding financial reporting under the RO Act are provided on the Fair Work Commission website at: [Financial Reporting Fact Sheets](#).

The documents can be emailed to orgs@fwc.gov.au. If it is envisaged that the financial report cannot be lodged by the due date you are requested to contact this office prior to the due date to discuss the issue.

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 \$33,000 for a body corporate and \$6,600 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.

Yours sincerely,

Robert Pfeiffer
Senior Adviser
Regulatory Compliance Branch

TIMELINE/ PLANNER

Financial reporting period ending:	/ /	
Prepare financial statements and Operating Report.		
(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.	/ /	As soon as practicable after end of financial year
(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).		
Auditor's Report prepared and signed and given to the Reporting Unit - s257	/ /	Within a reasonable time of having received the GPFR (NB: Auditor's report must be dated on or after date of Committee of Management Statement)
Provide full report free of charge to members – s265 The full report includes: <ul style="list-style-type: none"> the General Purpose Financial Report (which includes the Committee of Management Statement); the Auditor's Report; and the Operating Report. 	/ /	(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. or (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.
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.