



Australian Government
Registered Organisations Commission

9 August 2019

Mr Michael O'Connor
Divisional Secretary, Manufacturing Division
Construction, Forestry, Maritime, Mining and Energy Union
540 Elizabeth Street
MELBOURNE VIC 3000

Dear Mr O'Connor

Section 271 application for certificate of exemption from the requirements of Part 3 of Chapter 8 of the Fair Work (Registered Organisations) Act 2009 (the Act) (FR2018/389)

I refer to your application lodged pursuant to section 271(1) of the Act in respect of the TCF Victorian District for the financial year ended 31 December 2018. The application was lodged with the Registered Organisations Commission on 8 August 2019.

The application has been granted. The certificate is attached.

If you wish to discuss this matter, please contact Mr Stephen Kellett on (02) 6746 3283 or by email at stephen.kellett@roc.gov.au.

Yours faithfully

A handwritten signature in blue ink, appearing to be 'CE', with a small horizontal line to the right.

Chris Enright
Executive Director
Registered Organisations Commission



CERTIFICATE

Fair Work (Registered Organisations) Act 2009

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

**Construction, Forestry, Maritime, Mining and Energy Union, Manufacturing Division,
TCF Victorian District**
(FR2018/389)

MR ENRIGHT

MELBOURNE, 9 AUGUST 2019

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

[1] On 8 August 2019 an application was made under s.271(1) of the *Fair Work (Registered Organisations) Act 2009* by the Divisional Secretary of the Manufacturing Division of the Construction, Forestry, Maritime, Mining and Energy Union for a certificate of exemption in respect of the TCF Victorian District in relation to the financial year ended 31 December 2018.

[2] I am satisfied that the TCF Victorian District did not have any financial affairs in respect of the financial year ended 31 December 2018.



DELEGATE OF THE COMMISSIONER

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08 August 2019

Mr Mark Bielecki
Commissioner
The Registered Organisations Commission
GPO Box 2983
MELBOURNE VIC 3001

By email: regorgs@roc.gov.au
cc: Stephen.Kellett@roc.gov.au

RE: *Fair Work (Registered Organisations) Act 2009* Section 271 – Construction, Forestry, Maritime, Mining and Energy Union – Manufacturing Division – TCF Victorian District – Application for Exemption Certificate for year ending 31 December 2018

I am the Divisional National Secretary of the Construction, Forestry, Maritime, Mining and Energy Union – Manufacturing Division and occupied that position for the year ending 31 December 2018.

Pursuant to section 271 of the *Fair Work (Registered Organisations) Act 2009*, I hereby apply for a certificate of exemption for the TCF Victoria District in respect of the financial year ending 31 December 2018.

In support of this application I submit as follows:

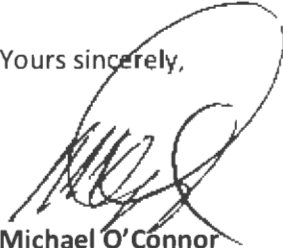
1. The Textile Clothing Footwear Union of Australia (TCFUA) and Maritime Union of Australia (MUA) amalgamated with the Construction, Forestry, Mining and Energy Union (CFMEU) to form the Construction, Forestry, Maritime, Mining and Energy Union on 27 March 2018 (amalgamation day).
2. Prior to amalgamation day the CFMEU consisted of three Divisions:
 - i. Construction and General Division;
 - ii. Forestry and Furnishing Products Division (FFPD);
 - iii. Mining and Energy Division.
3. From amalgamation day to present, the Construction, Forestry, Maritime, Mining and Energy Union has consisted of four Divisions:
 - i. Construction and General Division;
 - ii. Manufacturing Division;
 - iii. Maritime Union of Australia Division;



- iv. Mining and Energy Division.
4. On amalgamation day the MUA became a Division of the Construction, Forestry, Maritime, Mining and Energy Union. The TCFUA joined the old FFPD Division of the CFMEU and was renamed the Manufacturing Division.
5. The Manufacturing Division consists of a number of Districts, including the 'Victorian District' as a continuation of the previous structures in the FFPD.
6. On amalgamation day the '**TCF Victorian District**' was established in accordance with Manufacturing Division rule 44 (x) 1. (a). The '**TCF Victorian District**' is a body distinct from the Victorian District of the Manufacturing Division.
7. The **TCF Victorian District** was created for the purpose of facilitating a smooth transition for the former TCFUA officeholders in Victoria to hold office in the newly amalgamated union as outlined in Manufacturing Division rule 44 (v) 6. before transitioning into the new structures of the Victorian District in 2019.
8. In accordance with Manufacturing Division rule 44 (x) 1. (d) the **TCF Victorian District** ceased to exist on 1 January 2019.
9. The **TCF Victorian District** did not have an account with a bank or any other financial institution nor did it have custody of any real property or monies during the financial year.
10. The **TCF Victorian District** had no reason to keep accounting records and did not have any financial affairs during the financial year.
11. The **TCF Victorian District** has not traded or carried out financial transactions of any kind and has not expended economic resources or incurred any financial obligations to conduct its activities during the financial year.
12. The **TCF Victorian District** did not expend its own economic resources or incur financial obligations so to conduct its activities.
13. No person or body corporate or trust expended its own economic resources or incurred financial obligations so that the **TCF Victorian District** could conduct its activities.
14. The Manufacturing Division of the Construction, Forestry, Maritime, Mining and Energy Union expended its own economic resources and incurred financial obligations so that the **TCF Victorian District** could conduct its activities.

15. Notwithstanding the above, the **TCF Victorian District** has functioned in accordance with the rules of the Construction, Forestry, Maritime, Mining and Energy Union including the rules relating to the Manufacturing Division.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Michael O'Connor', written over a large, light-colored oval shape.

Michael O'Connor
National Secretary
Manufacturing Division
Construction, Forestry, Maritime, Mining and Energy Union