



## AUSTRALIAN INDUSTRIAL REGISTRY

Level 8, Terrace Towers  
80 William Street, East Sydney, NSW 2011  
Telephone: (02) 8374 6666  
Fax: (02) 9380 6990

Mr Martin Kingham  
Secretary, Victorian Branch  
Construction & General Division  
Construction, Forestry, Mining & Energy Union  
500 Swanston Street  
CARLTON SOUTH VIC 3053

Dear Mr Kingham

**Re: Construction & General Division, Victorian Divisional Branch, Construction, Forestry, Mining & Energy Union Outstanding Financial Documents - *Workplace Relations Act 1996***

There is no record of lodgment in the Industrial Registry of the auditor's report, accounts and statements of the abovenamed body, prepared in accordance with Part IX, Division 11 of the *Workplace Relations Act 1996* ('the Act'), for the year ended 31 December 2001.

An organisation registered under the Act or a branch of such an organisation is required after the end of its financial year to prepare accounts and statements, obtain a report from the auditor, provide copies of the auditor's report, accounts and statements to its members, present the auditor's report, accounts and statements to a meeting of members or committee of management, and lodge copies in the Industrial Registry. Having in mind the time-scales allowed by the Act to complete each of these steps, lodgment of the required documents would, in the normal course, be expected before now.

Therefore, I request your written advice **by Friday 1 November 2002** as to when each of the following steps is expected to be completed:-

1. preparation of the accounts and statements in compliance with section 273
2. making of the audit report in compliance with section 276(4)
3. provision of copies of the auditor's report, accounts and statements to the members in compliance with sections 279(1) and (3)
4. presentation of the financial documents to a meeting of the members or the committee of management in compliance with sections 279(6) and (7) (*following provision of copies to the members as per step 3 above*)
5. lodgment of copies of the financial documents in the Industrial Registry under cover of a certificate by you in compliance with section 280(1) - such certificate should confirm that the documents so lodged are copies of the documents presented to the meeting referred to in step 4 above - the type of meeting and the date when it was held should be specified.

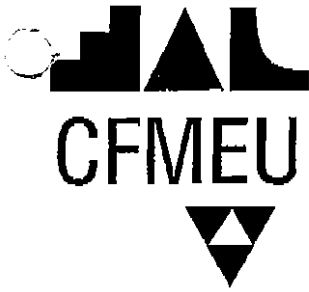
If you wish to discuss this letter you may contact me on (02) 8374 6618.

Yours sincerely

*Belinda Penna*

Belinda Penna  
for Deputy Industrial Registrar

16 October 2002



November 26<sup>th</sup> 2002

**CONSTRUCTION**

**FORESTRY**

**MINING**

**ENERGY**

**UNION**

Belinda Penna  
Australian Industrial Registry  
Level 8, Terrace Towers  
80 William Street  
East Sydney NSW 2011

Dear Belinda

RE: Lodgment of Auditor's report, accounts and Statement.

The financial Accounts of the Construction and General Division, Victorian Branch of the Construction, Forestry, Mining and Energy Union for 2001 have been completed and audited. Attached is a copy of the audited accounts.

They are current being published and should be to members by the middle of December. The accounts will be represented to the Management Committee in January/February 2003.

Once this is done I will lodge the accounts and confirmation letter with the registry.

Yours truly,

A handwritten signature in black ink, appearing to read 'Adrian Waterfall', written over a horizontal line.

Adrian Waterfall  
Mnager  
CFMEU – Construction and General Division  
Victorian Branch

VICTORIAN  
DIVISIONAL BRANCH  
500 SWANSTON STREET  
CARLTON STH, VIC 3053

PH: (03) 9341 3444  
FAX: (03) 9348 1794



**CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION**

**THE CONSTRUCTION AND GENERAL DIVISION**

**VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH**

**FINANCIAL STATEMENTS  
FOR THE YEAR ENDED  
31ST DECEMBER 2001**

**CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION****THE CONSTRUCTION AND GENERAL DIVISION****VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH****CONTENTS**

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O G L E S B Y*Chartered Accountants**77 Station Street*H U G H E S*Malvern 3144 Australia**Telephone: 03-9500 0911*M C P H A I L*Fax: 03-9509 9762*

**Independent audit report to the members of the Construction Forestry  
Mining & Energy Union Construction & General Division Victorian  
Building Unions Divisional Branch**

**Scope**

We have inspected and audited the attached special purpose financial report and accounting records kept by the Construction, Forestry, Mining & Energy Union, Construction & General Division Victorian Building Unions Divisional Branch ("the Union") in respect of the year ended 31 December 2001, as set out on pages 3 to 13 and have received all the information and explanations required for the purpose of our audit.

The Divisional Branch Management Committee ("the Committee") is responsible for the financial report and have determined that the accounting policies used are consistent with the financial reporting requirements of the Union's constitution and are appropriate to meet the needs of the members. We have conducted an independent audit of the financial report in order to express an opinion on it to the members of the Union. No opinion is expressed as to whether the accounting policies used are appropriate to the needs of the members.

The financial report has been prepared for distribution to the members for the purpose of fulfilling the Committee's financial reporting requirements. We disclaim any assumption of responsibility for any reliance on this report or on the financial report to which it relates to any person other than the members, or of any purpose other than for that for which it was prepared.

Our audit has been conducted in accordance with Australian Auditing Standards. Our procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report and the evaluation of significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects, the financial report is presented fairly in accordance with the basis of accounting described in Note 1 to the financial statements. (These policies do not require the application of all Accounting Standards and the professional reporting requirements in Australia).

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

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**Donations and Fund Raising Activities**

It is not practical for the Union to maintain an effective system of control over donations and fund raising activities until their initial entry in the accounting records. Accordingly, our audit in relation to donations and fund raising was limited to amounts recorded.

**Audit Opinion**

- (A) In our opinion and subject to the effects of such adjustments, if any, as might have been determined to be necessary had the limitation discussed above not existed:
- (i) there were kept by the Union in relation to the year satisfactory accounting records including:
- (a) records of the sources and nature of the income of the Union (including income from members); and
- (b) records of the nature and purposes of the expenditure of the Union; and
- (ii) the accounts and statements including the certificate of the Committee of Management and the Accounting Officer prepared under section 273 in relation to the year were properly drawn up so as to give a true and fair view of:
- (a) the financial affairs of the Union as at the end of the year; and
- (b) the income and expenditure, and any surplus, of the Union for the year
- in accordance with the basis of accounting described in Note 1 of the financial statements
- (B) All the information and explanations that, under subsection (2), officers or employees of the Union were required to provide were provided.

**OGLESBY HUGHES McPHAIL**  
**Chartered Accountants**

  
**Ken Oglesby**  
**Registered Company Auditor**

Dated: 20<sup>th</sup> November 2002

.../2

**THE CONSTRUCTION, FORESTRY, MINING & ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION  
VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH**

**INCOME AND EXPENDITURE ACCOUNT  
FOR THE YEAR ENDED 31ST DECEMBER 2001**

	2001 \$	2000 \$
<b><u>INCOME</u></b>		
Membership Subscriptions	6,564,439	5,765,358
(Over)/Under banking	(4,498)	1,135
Grant Income	2,097,119	2,281,386
Interest Received	301,785	197,878
Rent Received	98,094	81,640
Wages Recovered	130,296	76,652
Other Income	43,979	55,188
Outgoings Recovered	54,189	86,497
EBA Processing Fee	247,368	319,431
Counter Sales	27,995	8,178
Training Fees Received	11,623	32,932
OHS Fees Received	30,341	8,768
Gain/(Loss) on revaluation of Land & Buildings	-	206,832
<b><u>TOTAL INCOME</u></b>	<b>9,602,730</b>	<b>9,121,875</b>
<b>EXPENDITURE - Refer Attached Schedule</b>	<b>8,585,428</b>	<b>6,886,969</b>
<b><u>OPERATING SURPLUS FOR YEAR</u></b>	<b>1,017,302</b>	<b>2,234,906</b>

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The accompanying notes form part of these financial statements.

**THE CONSTRUCTION, FORESTRY, MINING & ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION  
VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH**

**INCOME AND EXPENDITURE ACCOUNT  
FOR THE YEAR ENDED 31ST DECEMBER 2001**

	2001	2000
	\$	\$
<b><u>EXPENDITURE</u></b>		
Accountancy	23,027	10,000
Advertising	13,752	81,483
Affiliation Fees	80,533	83,374
Audio Visual & Teaching Aids	4,637	-
Audit Fees	36,200	20,351
Bank Charges	38,626	33,106
Badges, T Shirts, Caps & W/Cheaters	29,691	39,235
Courier	4,621	1,603
Cleaning	9,554	7,330
Clothing allowance	4,807	40,087
Consultancy Fees	85,945	34,234
State Conference	582	555
Computer Software & Maintenance	17,909	67,723
Depreciation	455,132	440,074
Depreciation - Buildings	31,083	3,969
Donations	10,414	9,922
Fringe Benefits Tax	99,892	88,506
Doubtful Debts	25,000	-
Fines	4,747	8,427
Funeral Benefits	1,423	1,500
General Expenses	15,150	26,102
Insurance	65,058	63,241
Industrial Legal & Arbitration	63,280	43,470
Interest Paid	14	-
Commissions on Subscription	98,864	81,419
Journals Costs	40,332	75,168
Legal Costs	875,240	202,417
Light, Power & Gas	36,166	40,181
Loss on Sale of Assets	23,527	32,662
Motor vehicle expenses	193,811	165,482
<b><u>BALANCE CARRIED FORWARD</u></b>	<b>2,389,017</b>	<b>1,701,621</b>

The accompanying notes form part of these financial statements.

.../4



**THE CONSTRUCTION, FORESTRY, MINING & ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION  
VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH**

**INCOME AND EXPENDITURE STATEMENT  
FOR THE YEAR ENDED 31ST DECEMBER 2001**

	2001 \$	2000 \$
<b>EXPENDITURE (CONTINUED)</b>		
BALANCE BROUGHT FORWARD	2,389,017	1,701,621
Newspapers & Awards	12,024	9,404
Office Security	5,979	35,393
Organising Expenses	73,531	36,986
OHS Grant Expenses	444	9,738
Rental and Hire of Equipment	14,858	1,460
Relocation Expenses	-	1,783
Payroll Tax	225,630	144,224
Postage	68,380	77,674
Printing (Excluding Journal)	279,867	155,097
Capitation Fees	804,048	679,092
Superannuation Contributions	430,210	354,341
Mobiles & Pagers	137,392	147,730
Promotional Costs	56,630	-
Property Agent Fees	184	-
Registration	2,636	1,350
Rates and Land Tax	78,722	71,468
Rent	30,351	27,245
Union Banners & Flags	7,114	4,920
Training Grant Expenses	-	29,265
Repairs & maintenance	161,812	105,255
Salaries - Non-Elected	2,194,198	2,093,756
Salaries - Elected Executive & Organisers	943,764	821,338
Stationery & Consumables	54,099	-
On-costs Wages	24,603	-
Amenities - Tea & Coffee	17,867	-
Employee Entitlements	195,382	-
Storage Costs	11,301	6,984
Subscriptions and Library	23,189	16,189
Telephone	47,102	59,652
Temporary Staff	14,445	18,587
Travelling and Accommodation	120,188	39,173
Training Education	19,158	-
Training Materials	36,201	28,137
Valuation	2,000	7,500
Workcover - Medical Expenses	590	3,280
Workcover Levy	102,512	198,327
<b>TOTAL EXPENDITURE</b>	<b>8,585,428</b>	<b>6,886,969</b>

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The accompanying notes form part of these financial statements.

**THE CONSTRUCTION, FORESTRY, MINING & ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION  
VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH**

**BALANCE SHEET  
FOR THE YEAR ENDED 31ST DECEMBER 2001**

	2001 \$	2000 \$
<b><u>MEMBERS' FUNDS</u></b>		
Balance at 1st January 2001	\$7,561,971	\$4,952,303
Asset Revaluation Reserve	\$695,256	\$695,256
Surplus for year	\$1,017,302	\$2,609,668
<b><u>TOTAL MEMBERS' FUNDS</u></b>	<b><u>\$9,274,529</u></b>	<b><u>\$8,257,227</u></b>
<b><u>CURRENT ASSETS</u></b>		
Cash on Hand	\$2,000	\$2,000
Cash at Bank	\$469,106	\$96,277
Prepayments	\$85,554	\$75,655
Bills Receivable	\$3,549,351	\$2,462,426
Accounts receivable	\$303,272	\$355,592
Stock on hand	\$18,827	-
Floating Notes for fixed term	\$500,000	-
	<u>\$4,928,110</u>	<u>\$2,991,950</u>
<b><u>NON-CURRENT ASSETS</u></b>		
Land and Buildings (Note 4)	\$2,665,769	\$2,671,502
Fixed Assets (Note 5)	\$1,867,267	\$1,643,541
Floating Notes for fixed term (Note 6)	\$3,200,000	\$2,698,091
Units in Trusts at cost	\$1,682	\$1,682
	<u>\$7,734,718</u>	<u>\$7,014,816</u>
<b><u>TOTAL ASSETS</u></b>	<b><u>\$12,662,828</u></b>	<b><u>\$10,006,766</u></b>
<b><u>CURRENT LIABILITIES AND PROVISIONS</u></b>		
Overdraft - General Fund	-	\$43,862
Trade Creditors & Accruals	\$2,187,748	\$610,505
Fighting Fund	\$31,699	(\$13,721)
Grant Liability Held	\$41,577	-
Wage Claims Held in Trust	\$46,384	\$50,178
Provision for Employee Entitlements (Note 3)	\$1,141,597	\$940,499
GST Payable	(\$60,706)	\$118,216
	<u>\$3,388,299</u>	<u>\$1,749,539</u>
<b><u>TOTAL LIABILITIES</u></b>	<b><u>\$3,388,299</u></b>	<b><u>\$1,749,539</u></b>
<b><u>NET ASSETS</u></b>	<b><u>\$9,274,529</u></b>	<b><u>\$8,257,227</u></b>

The accompanying notes form part of these financial statements.

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THE CONSTRUCTION, FORESTRY, MINING & ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION  
VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH

NOTES TO AND FORMING PART OF THE ACCOUNTS  
FOR THE YEAR ENDED 31ST DECEMBER 2001

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**1 STATEMENT OF ACCOUNTING POLICIES**

The special purpose accounts have been prepared in accordance with Statements of Accounting Concepts, applicable Accounting Standards and the Workplace Relations Act, 1996 to provide information to members of the Construction, Forestry, Mining & Energy Union ("the Union") and the Registrar. The accounts have been prepared on the basis of historical cost and do not take into account changing money values or, except where stated, current valuations of non-current assets. The accounting policies have been consistently applied, unless otherwise stated.

The following is a summary of the significant accounting policies adopted in the preparation of the accounts.

- (a) Depreciation of fixed assets is calculated on a diminishing value basis in order to write the assets off over their useful life. Depreciation of buildings is calculated on a straight line basis. The latter reflects a change in accounting policy to adopt AASB 1021: Depreciation as previously depreciation was not charged. The financial effect in 2001 was a charge to the profit and loss account of \$31,083.
- (b) Land and buildings are revalued periodically and are shown in the accounts in accordance with AASB1041/AAS38:Revaluation of Non-Current Assets.
- (c) Provision is made for the Union's liability for employee entitlements arising from services rendered by employees to balance date. Employee entitlements consist of annual leave, long service leave and redundancy pay, which are accrued in accordance with the provisions of the employee agreements. Entitlements are unconditional and as such are recorded as current liabilities.
- (d) No provision for Income Tax is necessary as Industrial Trade Unions are exempt from Income Tax under section 23(f) of the Income Tax Assessment Act.
- (e) Inventories are measured at the lower of cost and net realisable value.

**THE CONSTRUCTION, FORESTRY, MINING & ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION  
VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH**

**NOTES TO AND FORMING PART OF THE ACCOUNTS  
FOR THE YEAR ENDED 31ST DECEMBER 2001**

	2001	2000
	\$	\$

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**2 INFORMATION TO BE PROVIDED TO MEMBERS OR REGISTRAR**

In accordance with the requirements of the Workplace Relations Act, 1996, the attention of members is drawn to the provisions of Sub-Sections (1), (2) and (3) of Section 274, which read as follows:

- (1) A member of an organisation, or a Registrar, may apply to the organisation for specified prescribed information in relation to the organisation.
- (2) An organisation shall, on application made under Sub-Section (1) by a member of the organisation or a Registrar, make the specified information available to the member or Registrar in such manner, and within such time, as is prescribed.
- (3) A Registrar may only make an application under sub-section (1) at the request of a member of the organisation concerned, and the Registrar shall provide to a member information received because of an application made at the request of the member.

**3 ABNORMAL ITEMS**

The State Executive decided to raise a provision for Employee Entitlements in the sum of \$803,833 for the employees of the State Divisional Branch. This provision was raised in the accounts for the first time in the 31st December 1998 financial year. Due to a clerical error in the 1999 year this provision was reduced by \$374,762 in the 2000 year to reflect the correct provision amount.

374,762

**THE CONSTRUCTION, FORESTRY, MINING & ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION  
VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH**

**NOTES TO AND FORMING PART OF THE ACCOUNTS  
FOR THE YEAR ENDED 31ST DECEMBER 2001**

	2001	2000
	\$	\$
<hr/>		
<b><u>4 LAND AND BUILDINGS</u></b>		
Vacant Land	670,000	670,000
Land at Independent Valuation	596,434	596,434
	<hr/>	<hr/>
Buildings at Independent Valuation	1,266,434	1,266,434
Accumulated Depreciation	1,055,068 (26,377)	1,055,068 -
	<hr/>	<hr/>
Motel at Independent Valuation	1,028,691	1,055,068
Less: Accumulated Depreciation	350,350 (4,706)	350,000 -
	<hr/>	<hr/>
Building Deposit - 78 Fyans St Geelong	345,644 25,000	350,000 -
	<hr/>	<hr/>
	25,000	-
	<hr/>	<hr/>
<b>TOTAL LAND AND BUILDINGS</b>	<b>2,665,769</b>	<b>2,671,502</b>
	<hr/>	<hr/>

Land and Buildings

The revaluations of freehold land and buildings were based on the assessment of their current market. The independent revaluations on 24th April, 2001 were carried out by C D Johns FAPI registered valuer with LandMark White. The valuation was made in accordance with a regular policy to revalue land and buildings every three years.

**THE CONSTRUCTION, FORESTRY, MINING & ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION  
VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH**

**NOTES TO AND FORMING PART OF THE ACCOUNTS  
FOR THE YEAR ENDED 31ST DECEMBER 2001**

	2001 \$	2000 \$
<b><u>FIXED ASSETS</u></b>		
Plant & equipment at cost	459,011	412,250
Accumulated Depreciation	(249,888)	(224,441)
	<u>209,123</u>	<u>187,809</u>
Computer equipment at cost	461,660	344,521
Accumulated Depreciation	(276,423)	(190,057)
	<u>185,237</u>	<u>154,464</u>
Office furniture & equipment at cost	389,151	319,015
Accumulated Depreciation	(213,897)	(160,519)
	<u>175,254</u>	<u>158,496</u>
Motor vehicles at cost	1,623,744	1,470,476
Accumulated Depreciation	(612,352)	(440,314)
	<u>1,011,392</u>	<u>1,030,162</u>
Improvements at cost	490,149	277,646
Accumulated Depreciation	(203,888)	(165,036)
	<u>286,261</u>	<u>112,610</u>
<b>TOTAL FIXED ASSETS</b>	<u><u>1,867,267</u></u>	<u><u>1,643,541</u></u>

**6 INVESTMENTS**

Floating Notes		
Floating Note - Maturity Date (13/02/03)	1,000,000	
Floating Note - Maturity Date (30/06/10)	1,200,000	1,200,000
Floating Note - Maturity Date (30/03/10)	1,000,000	
	<u>3,200,000</u>	<u>2,698,091</u>
Floating Notes for fixed term		

**THE CONSTRUCTION, FORESTRY, MINING & ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION  
VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH**

**NOTES TO AND FORMING PART OF THE ACCOUNTS  
FOR THE YEAR ENDED 31ST DECEMBER 2001**

	2001	2000
	\$	\$
<hr/>		
<b><u>7 CONTINGENT LIABILITIES</u></b>		
The CFMEU has guaranteed a loan for the ATAIU the security for which is the first floor of 500 Swanston Street, Carlton South.		
	550,000	550,000

**8 CAPITAL EXPENDITURE COMMITMENTS**

The CFMEU signed a contract on the 23rd of October 2001 and paid a deposit of \$ 25,000 to purchase 78 Fyans Street, South Geelong. The deposit was paid and the remaining balance of \$ 225,000 is due and payable, pending on the issuing of the Land Title.

**9 EVENTS SUBSEQUENT TO BALANCE DATE**

- A) After Balance Date, on the 16th of February 2002, the assets of the former Builders Labour's Federation (BLF) were confirmed by the Victorian Government appointed custodian, that the CFMEU is the legitimate successor to the former BLF. The assets which total \$858,000 in cash and three properties in Lygon and Orr Streets, Carlton, which have been held in trust are now to be included as assets of the CFMEU. The financial effect of this transaction will be brought to account in the 2002 financial report.
- B) Since balance date, legal action has been taken by a company against the CFMEU and certain officials, alleging that they have interfered with contractual relations regarding failure of the company's employees to perform work. The amount claimed is \$999,035 plus interest plus costs. The Claim has just been lodged and the CFMEU will be vigorously defending the action brought against it. The matter is alleged to have occurred after balance date and no amount has been recognised in the financial statements.





**CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION**  
**BUILDING UNIONS DIVISION - VICTORIAN DIVISIONAL BRANCH**  
**FOR YEAR ENDED 31ST DECEMBER 2001**

**ACCOUNTING OFFICER'S CERTIFICATE**

---

I, Martin Kingham, being the Officer responsible for keeping the accounting records of the Construction, Forestry, Mining and Energy Union - Building Unions Division - Victorian Divisional Branch, hereby certify that at 31st December 2001, the number of members of the Branch was 18826 and that in my opinion:

- (a) the financial statements as set out on the pages attached hereto show a true and fair view of the financial affairs of the Branch as at 31 December 2001;
- (b) a record has been kept of all monies paid by, or collected from, members and all monies so paid or collected have been credited to the bank account to which those monies are to be credited in accordance with the Rules of the Branch;
- (c) before the expenditure was incurred by the Branch, approval for the incurring of the expenditure was obtained in accordance with the Rules of the Branch;
- (d) with regard to funding of the Branch raised by compulsory levies or voluntary contributions from members, or funds other than the Federal Fund operated in accordance with the Rules, no payments were made out of any such funds for purposes other than those for which the fund was operated;
- (e) no loan or other financial benefits, other than remuneration in respect to their full-time employment with the Branch, were made to any person holding office in the Branch;
- (f) the register of members of the Branch was maintained in accordance with the Workplace Relations Act 1996.

Dated at Carlton South this fourteenth day of 12<sup>th</sup> September 2002.

  
.....  
**MARTIN KINGHAM**  
**STATE SECRETARY**



**AUSTRALIAN INDUSTRIAL REGISTRY**

Level 8, Terrace Towers  
80 William Street, East Sydney, NSW 2011  
Telephone: (02) 8374 6666  
Fax: (02) 9380 6990

Mr. Martin Kingham  
State Secretary,  
CFMEU -Construction and General Division, Victorian Branch  
Box 89, Trades Hall 54 Victoria Street **CARLTON SOUTH VIC 3053**

Attn: Adrian Waterfall

Dear Mr. Kingham

**Re: Lodgement of Financial Statements for Construction, Forestry, Mining and Energy Union-Construction and General Division, Victorian Branch for the year ended 31 December 2001 (FR2001/736)**

Receipt is acknowledged of the above financial statements, which were lodged in the Registry on 4 December 2002.

I note your advice that they are to be distributed to members and confirmed at a proposed meeting in early 2003. When you supply this confirmation the documents will be filed.

I would however, draw your attention to the following matters that you may care to clarify.

I note that the income and expenditure statement for the year ending 31 December 2001 identifies an amount of **\$10,414** as Donations. You are reminded that, pursuant to subsection 269(1) of the Act, if any individual donation exceeded \$1000 then a statement showing the relevant particulars of such donations is required to be lodged in the Registry.

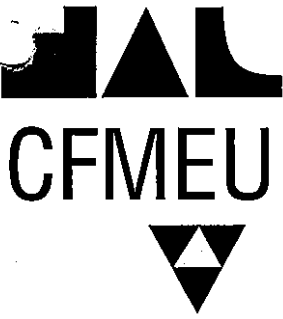
There appears to be two dates on the Accounting Officers certificate, the twelfth or fourteenth September 2002.

Should you have any enquires regarding these matters, please do not hesitate to contact me on (02) 8374 6516.

Yours sincerely,

Caroline Pryor  
NSW Statutory Services Branch

06 December 2002



November 26<sup>th</sup> 2002

**CONSTRUCTION**

**FORESTRY**

**MINING**

**ENERGY**

**UNION**

Belinda Penna  
Australian Industrial Registry  
Level 8, Terrace Towers  
80 William Street  
East Sydney NSW 2011

Dear Belinda

RE: Lodgment of Auditor's report, accounts and Statement.

The financial Accounts of the Construction and General Division, Victorian Branch of the Construction, Forestry, Mining and Energy Union for 2001 have been completed and audited. Attached is a copy of the audited accounts.

They are current being published and should be to members by the middle of December. The accounts will be represented to the Management Committee in January/February 2003.

Once this is done I will lodge the accounts and confirmation letter with the registry.

Yours truly,

Adrian Waterfall  
Mnager  
CFMEU – Construction and General Division  
Victorian Branch

VICTORIAN  
DIVISIONAL BRANCH  
500 SWANSTON STREET  
CARLTON STH, VIC 3053



PH: (03) 9341 3444  
FAX: (03) 9348 1794

**CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION**

**THE CONSTRUCTION AND GENERAL DIVISION**

**VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH**

**FINANCIAL STATEMENTS  
FOR THE YEAR ENDED  
31ST DECEMBER 2001**

**CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION**

**THE CONSTRUCTION AND GENERAL DIVISION**

**VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH**

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O G L E S B Y

*Chartered Accountants*

H U G H E S

*77 Station Street*

M c P H A I L

*Makern 3144 Australia*

*Telephone: 03-9500 0911*

*Fax: 03-9509 9762*

**Independent audit report to the members of the Construction Forestry  
Mining & Energy Union Construction & General Division Victorian  
Building Unions Divisional Branch**

**Scope**

We have inspected and audited the attached special purpose financial report and accounting records kept by the Construction, Forestry, Mining & Energy Union, Construction & General Division Victorian Building Unions Divisional Branch ("the Union") in respect of the year ended 31 December 2001, as set out on pages 3 to 13 and have received all the information and explanations required for the purpose of our audit.

The Divisional Branch Management Committee ("the Committee") is responsible for the financial report and have determined that the accounting policies used are consistent with the financial reporting requirements of the Union's constitution and are appropriate to meet the needs of the members. We have conducted an independent audit of the financial report in order to express an opinion on it to the members of the Union. No opinion is expressed as to whether the accounting policies used are appropriate to the needs of the members.

The financial report has been prepared for distribution to the members for the purpose of fulfilling the Committee's financial reporting requirements. We disclaim any assumption of responsibility for any reliance on this report or on the financial report to which it relates to any person other than the members, or of any purpose other than for that for which it was prepared.

Our audit has been conducted in accordance with Australian Auditing Standards. Our procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report and the evaluation of significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects, the financial report is presented fairly in accordance with the basis of accounting described in Note 1 to the financial statements. (These policies do not require the application of all Accounting Standards and the professional reporting requirements in Australia).

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

### **Donations and Fund Raising Activities**

It is not practical for the Union to maintain an effective system of control over donations and fund raising activities until their initial entry in the accounting records. Accordingly, our audit in relation to donations and fund raising was limited to amounts recorded.

### **Audit Opinion**

- (A) In our opinion and subject to the effects of such adjustments, if any, as might have been determined to be necessary had the limitation discussed above not existed:
- (i) there were kept by the Union in relation to the year satisfactory accounting records including:
    - (a) records of the sources and nature of the income of the Union (including income from members); and
    - (b) records of the nature and purposes of the expenditure of the Union; and
  - (ii) the accounts and statements including the certificate of the Committee of Management and the Accounting Officer prepared under section 273 in relation to the year were properly drawn up so as to give a true and fair view of:
    - (a) the financial affairs of the Union as at the end of the year; and
    - (b) the income and expenditure, and any surplus, of the Union for the year
- in accordance with the basis of accounting described in Note 1 of the financial statements
- (B) All the information and explanations that, under subsection (2), officers or employees of the Union were required to provide were provided.

**OGLESBY HUGHES McPHAIL**  
**Chartered Accountants**

  
**Ken Oglesby**  
**Registered Company Auditor**

Dated: 20<sup>th</sup> November 2002

**THE CONSTRUCTION, FORESTRY, MINING & ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION  
VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH**

**INCOME AND EXPENDITURE ACCOUNT  
FOR THE YEAR ENDED 31ST DECEMBER 2001**

	2001 \$	2000 \$
<b><u>INCOME</u></b>		
Membership Subscriptions	6,564,439	5,765,358
(Over)/Under banking	(4,498)	1,135
Grant Income	2,097,119	2,281,386
Interest Received	301,785	197,878
Rent Received	98,094	81,640
Wages Recovered	130,296	76,652
Other Income	43,979	55,188
Outgoings Recovered	54,189	86,497
EBA Processing Fee	247,368	319,431
Counter Sales	27,995	8,178
Training Fees Received	11,623	32,932
OHS Fees Received	30,341	8,768
Gain/(Loss) on revaluation of Land & Buildings	-	206,832
<b><u>TOTAL INCOME</u></b>	<b>9,602,730</b>	<b>9,121,875</b>
<b>EXPENDITURE - Refer Attached Schedule</b>	<b>8,585,428</b>	<b>6,886,969</b>
<b><u>OPERATING SURPLUS FOR YEAR</u></b>	<b>1,017,302</b>	<b>2,234,906</b>



**THE CONSTRUCTION, FORESTRY, MINING & ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION  
VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH**

**INCOME AND EXPENDITURE ACCOUNT  
FOR THE YEAR ENDED 31ST DECEMBER 2001**

	2001 \$	2000 \$
<b><u>EXPENDITURE</u></b>		
Accountancy	23,027	10,000
Advertising	13,752	81,483
Affiliation Fees	80,533	83,374
Audio Visual & Teaching Aids	4,637	-
Audit Fees	36,200	20,351
Bank Charges	38,626	33,106
Badges, T Shirts, Caps & W/Cheaters	29,691	39,235
Courier	4,621	1,603
Cleaning	9,554	7,330
Clothing allowance	4,807	40,087
Consultancy Fees	85,945	34,234
State Conference	582	555
Computer Software & Maintenance	17,909	67,723
Depreciation	455,132	440,074
Depreciation - Buildings	31,083	3,969
Donations	10,414	9,922
Fringe Benefits Tax	99,892	88,506
Doubtful Debts	25,000	-
Fines	4,747	8,427
Funeral Benefits	1,423	1,500
General Expenses	15,150	26,102
Insurance	65,058	63,241
Industrial Legal & Arbitration	63,280	43,470
Interest Paid	14	-
Commissions on Subscription	98,864	81,419
Journals Costs	40,332	75,168
Legal Costs	875,240	202,417
Light, Power & Gas	36,166	40,181
Loss on Sale of Assets	23,527	32,662
Motor vehicle expenses	193,811	165,482
<b><u>BALANCE CARRIED FORWARD</u></b>	<b>2,389,017</b>	<b>1,701,621</b>

**THE CONSTRUCTION, FORESTRY, MINING & ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION  
VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH**

**INCOME AND EXPENDITURE STATEMENT  
FOR THE YEAR ENDED 31ST DECEMBER 2001**

	2001 \$	2000 \$
<b>EXPENDITURE (CONTINUED)</b>		
BALANCE BROUGHT FORWARD	2,389,017	1,701,621
Newspapers & Awards	12,024	9,404
Office Security	5,979	35,393
Organising Expenses	73,531	36,986
OHS Grant Expenses	444	9,738
Rental and Hire of Equipment	14,858	1,460
Relocation Expenses	-	1,783
Payroll Tax	225,630	144,224
Postage	68,380	77,674
Printing (Excluding Journal)	279,867	155,097
Capitation Fees	804,048	679,092
Superannuation Contributions	430,210	354,341
Mobiles & Pagers	137,392	147,730
Promotional Costs	56,630	-
Property Agent Fees	184	-
Registration	2,636	1,350
Rates and Land Tax	78,722	71,468
Rent	30,351	27,245
Union Banners & Flags	7,114	4,920
Training Grant Expenses	-	29,265
Repairs & maintenance	161,812	105,255
Salaries - Non-Elected	2,194,198	2,093,756
Salaries - Elected Executive & Organisers	943,764	821,338
Stationery & Consumables	54,099	-
On-costs Wages	24,603	-
Amenities - Tea & Coffee	17,867	-
Employee Entitlements	195,382	-
Storage Costs	11,301	6,984
Subscriptions and Library	23,189	16,189
Telephone	47,102	59,652
Temporary Staff	14,445	18,587
Travelling and Accommodation	120,188	39,173
Training Education	19,158	-
Training Materials	36,201	28,137
Valuation	2,000	7,500
Workcover - Medical Expenses	590	3,280
Workcover Levy	102,512	198,327
<b>TOTAL EXPENDITURE</b>	<b>8,585,428</b>	<b>6,886,969</b>

**THE CONSTRUCTION, FORESTRY, MINING & ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION  
VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH**

**BALANCE SHEET  
FOR THE YEAR ENDED 31ST DECEMBER 2001**

	<b>2001</b>	<b>2000</b>
	<b>\$</b>	<b>\$</b>
<b><u>MEMBERS' FUNDS</u></b>		
Balance at 1st January 2001	\$7,561,971	\$4,952,303
Asset Revaluation Reserve	\$695,256	\$695,256
Surplus for year	\$1,017,302	\$2,609,668
	<b>\$9,274,529</b>	<b>\$8,257,227</b>
<b><u>CURRENT ASSETS</u></b>		
Cash on Hand	\$2,000	\$2,000
Cash at Bank	\$469,106	\$96,277
Prepayments	\$85,554	\$75,655
Bills Receivable	\$3,549,351	\$2,462,426
Accounts receivable	\$303,272	\$355,592
Stock on Hand	\$18,827	-
Floating Notes for fixed term	\$500,000	-
	<b>\$4,928,110</b>	<b>\$2,991,950</b>
<b><u>NON-CURRENT ASSETS</u></b>		
Land and Buildings (Note 4)	\$2,665,769	\$2,671,502
Fixed Assets (Note 5)	\$1,867,267	\$1,643,541
Floating Notes for fixed term (Note 6)	\$3,200,000	\$2,698,091
Units in Trusts at cost	\$1,682	\$1,682
	<b>\$7,734,718</b>	<b>\$7,014,816</b>
<b><u>TOTAL ASSETS</u></b>	<b>\$12,662,828</b>	<b>\$10,006,766</b>
<b><u>CURRENT LIABILITIES AND PROVISIONS</u></b>		
Overdraft - General Fund	-	\$43,862
Trade Creditors & Accruals	\$2,187,748	\$610,505
Fighting Fund	\$31,699	(\$13,721)
Grant Liability Held	\$41,577	-
Wage Claims Held in Trust	\$46,384	\$50,178
Provision for Employee Entitlements (Note 3)	\$1,141,597	\$940,499
GST Payable	(\$60,706)	\$118,216
	<b>\$3,388,299</b>	<b>\$1,749,539</b>
<b><u>TOTAL LIABILITIES</u></b>	<b>\$3,388,299</b>	<b>\$1,749,539</b>
<b><u>NET ASSETS</u></b>	<b>\$9,274,529</b>	<b>\$8,257,227</b>

**THE CONSTRUCTION, FORESTRY, MINING & ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION  
VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH**

**NOTES TO AND FORMING PART OF THE ACCOUNTS  
FOR THE YEAR ENDED 31ST DECEMBER 2001**

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**1 STATEMENT OF ACCOUNTING POLICIES**

The special purpose accounts have been prepared in accordance with Statements of Accounting Concepts, applicable Accounting Standards and the Workplace Relations Act, 1996 to provide information to members of the Construction, Forestry, Mining & Energy Union ("the Union") and the Registrar. The accounts have been prepared on the basis of historical cost and do not take into account changing money values or, except where stated, current valuations of non-current assets. The accounting policies have been consistently applied, unless otherwise stated.

The following is a summary of the significant accounting policies adopted in the preparation of the accounts.

- (a) Depreciation of fixed assets is calculated on a diminishing value basis in order to write the assets off over their useful life. Depreciation of buildings is calculated on a straight line basis. The latter reflects a change in accounting policy to adopt AASB 1021: Depreciation as previously depreciation was not charged. The financial effect in 2001 was a charge to the profit and loss account of \$31,083.
- (b) Land and buildings are revalued periodically and are shown in the accounts in accordance with AASB1041/AAS38:Revaluation of Non-Current Assets.
- (c) Provision is made for the Union's liability for employee entitlements arising from services rendered by employees to balance date. Employee entitlements consist of annual leave, long service leave and redundancy pay, which are accrued in accordance with the provisions of the employee agreements. Entitlements are unconditional and as such are recorded as current liabilities.
- (d) No provision for Income Tax is necessary as Industrial Trade Unions are exempt from Income Tax under section 23(f) of the Income Tax Assessment Act.
- (e) Inventories are measured at the lower of cost and net realisable value.

THE CONSTRUCTION, FORESTRY, MINING & ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION  
VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH

NOTES TO AND FORMING PART OF THE ACCOUNTS  
FOR THE YEAR ENDED 31ST DECEMBER 2001

2001  
\$

2000  
\$

**2 INFORMATION TO BE PROVIDED TO MEMBERS OR REGISTRAR**

In accordance with the requirements of the Workplace Relations Act, 1996, the attention of members is drawn to the provisions of Sub-Sections (1), (2) and (3) of Section 274, which read as follows:

- (1) A member of an organisation, or a Registrar, may apply to the organisation for specified prescribed information in relation to the organisation.
- (2) An organisation shall, on application made under Sub-Section (1) by a member of the organisation or a Registrar, make the specified information available to the member or Registrar in such manner, and within such time, as is prescribed.
- (3) A Registrar may only make an application under sub-section (1) at the request of a member of the organisation concerned, and the Registrar shall provide to a member information received because of an application made at the request of the member.

**3 ABNORMAL ITEMS**

The State Executive decided to raise a provision for Employee Entitlements in the sum of \$803,833 for the employees of the State Divisional Branch. This provision was raised in the accounts for the first time in the 31st December 1998 financial year. Due to a clerical error in the 1999 year this provision was reduced by \$374,762 in the 2000 year to reflect the correct provision amount.

- 374,762

**THE CONSTRUCTION, FORESTRY, MINING & ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION  
VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH**

**NOTES TO AND FORMING PART OF THE ACCOUNTS  
FOR THE YEAR ENDED 31ST DECEMBER 2001**

	2001 \$	2000 \$
<b>4 LAND AND BUILDINGS</b>		
Vacant Land	670,000	670,000
Land at Independent Valuation	596,434	596,434
	1,266,434	1,266,434
Buildings at Independent Valuation	1,055,068	1,055,068
Accumulated Depreciation	(26,377)	-
	1,028,691	1,055,068
Motel at Independent Valuation	350,350	350,000
Less: Accumulated Depreciation	(4,706)	-
	345,644	350,000
Building Deposit - 78 Fyans St Geelong	25,000	-
	25,000	-
<b>TOTAL LAND AND BUILDINGS</b>	<b>2,665,769</b>	<b>2,671,502</b>

Land and Buildings

The revaluations of freehold land and buildings were based on the assessment of their current market. The independent revaluations on 24th April, 2001 were carried out by C D Johns FAPI registered valuer with LandMark White. The valuation was made in accordance with a regular policy to revalue land and buildings every three years.

**THE CONSTRUCTION, FORESTRY, MINING & ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION  
VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH**

**NOTES TO AND FORMING PART OF THE ACCOUNTS  
FOR THE YEAR ENDED 31ST DECEMBER 2001**

	<b>2001</b>	<b>2000</b>
	<b>\$</b>	<b>\$</b>
<b><u>FIXED ASSETS</u></b>		
Plant & equipment at cost	459,011	412,250
Accumulated Depreciation	(249,888)	(224,441)
	209,123	187,809
Computer equipment at cost	461,660	344,521
Accumulated Depreciation	(276,423)	(190,057)
	185,237	154,464
Office furniture & equipment at cost	389,151	319,015
Accumulated Depreciation	(213,897)	(160,519)
	175,254	158,496
Motor vehicles at cost	1,623,744	1,470,476
Accumulated Depreciation	(612,352)	(440,314)
	1,011,392	1,030,162
Improvements at cost	490,149	277,646
Accumulated Depreciation	(203,888)	(165,036)
	286,261	112,610
<b>TOTAL FIXED ASSETS</b>	<b>1,867,267</b>	<b>1,643,541</b>

**6 INVESTMENTS**

Floating Notes		
Floating Note - Maturity Date (13/02/03)	1,000,000	
Floating Note - Maturity Date (30/06/10)	1,200,000	1,200,000
Floating Note - Maturity Date (30/03/10)	1,000,000	
	3,200,000	2,698,091
Floating Notes for fixed term	3,200,000	2,698,091

THE CONSTRUCTION, FORESTRY, MINING & ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION  
VICTORIAN BUILDING UNIONS DIVISIONAL BRANCH

NOTES TO AND FORMING PART OF THE ACCOUNTS  
FOR THE YEAR ENDED 31ST DECEMBER 2001

	2001	2000
	\$	\$

**7 CONTINGENT LIABILITIES**

The CFMEU has guaranteed a loan for the ATAIU the security for which is the first floor of 500 Swanston Street, Carlton South.

	550,000	550,000
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**8 CAPITAL EXPENDITURE COMMITMENTS**

The CFMEU signed a contract on the 23rd of October 2001 and paid a deposit of \$ 25,000 to purchase 78 Fyans Street, South Geelong. The deposit was paid and the remaining balance of \$ 225,000 is due and payable, pending on the issuing of the Land Title.

**9 EVENTS SUBSEQUENT TO BALANCE DATE**

- A) After Balance Date, on the 16th of February 2002, the assets of the former Builders Labour's Federation (BLF) were confirmed by the Victorian Government appointed custodian, that the CFMEU is the legitimate successor to the former BLF. The assets which total \$858,000 in cash and three properties in Lygon and Orr Streets, Carlton, which have been held in trust are now to be included as assets of the CFMEU. The financial effect of this transaction will be brought to account in the 2002 financial report.
- B) Since balance date, legal action has been taken by a company against the CFMEU and certain officials, alleging that they have interfered with contractual relations regarding failure of the company's employees to perform work. The amount claimed is \$999,035 plus interest plus costs. The Claim has just been lodged and the CFMEU will be vigorously defending the action brought against it. The matter is alleged to have occurred after balance date and no amount has been recognised in the financial statements.





**CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION**  
**BUILDING UNIONS DIVISION - VICTORIAN DIVISIONAL BRANCH**  
**FOR YEAR ENDED 31ST DECEMBER 2001**

**ACCOUNTING OFFICER'S CERTIFICATE**

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I, Martin Kingham, being the Officer responsible for keeping the accounting records of the Construction, Forestry, Mining and Energy Union - Building Unions Division - Victorian Divisional Branch, hereby certify that at 31st December 2001, the number of members of the Branch was 18826 and that in my opinion:

- (a) the financial statements as set out on the pages attached hereto show a true and fair view of the financial affairs of the Branch as at 31 December 2001;
- (b) a record has been kept of all monies paid by, or collected from, members and all monies so paid or collected have been credited to the bank account to which those monies are to be credited in accordance with the Rules of the Branch;
- (c) before the expenditure was incurred by the Branch, approval for the incurring of the expenditure was obtained in accordance with the Rules of the Branch;
- (d) with regard to funding of the Branch raised by compulsory levies or voluntary contributions from members, or funds other than the Federal Fund operated in accordance with the Rules, no payments were made out of any such funds for purposes other than those for which the fund was operated;
- (e) no loan or other financial benefits, other than remuneration in respect to their full-time employment with the Branch, were made to any person holding office in the Branch;
- (f) the register of members of the Branch was maintained in accordance with the Workplace Relations Act 1996.

Dated at Carlton South this fourteenth day of 12<sup>th</sup> September 2002.

  
.....  
**MARTIN KINGHAM**  
**STATE SECRETARY**



**AUSTRALIAN INDUSTRIAL REGISTRY**

Level 8, Terrace Towers  
80 William Street, East Sydney, NSW 2011  
Telephone: (02) 8374 6666  
Fax: (02) 9380 6990

Mr Adrian Waterfall / Manager  
CFMEU, Victorian Divisional Branch  
500 Swanston Street  
CARLTON SOUTH VIC 3053

Dear Mr Waterfall,

**Re: Lodgement of Financial Statements for Construction, Forestry, Mining and Energy  
Union - Construction and General Division, Victorian Branch for the year ended  
31 December 2001 (FR2001/736)**

I refer to a previous letter in relation to the above matter dated 6 December 2002 requesting confirmation of the following:

- when and how members were supplied with copies of the financial statements and accounts in compliance with section 279(6) of the *Workplace Relations Act 1996*.

I request your written advice on the above matter by 9 May 2003. If you should have any enquires regarding these matters, please do not hesitate to contact me on (02) 8374 6509.

Yours sincerely

Stephen Kellett  
Assistant Manager, Statutory Services Branch  
NSW Registry

22 April 2003



27<sup>th</sup> August 2003

**CONSTRUCTION**

**FORESTRY**

**MINING**

**ENERGY**

**UNION**

Australian Industrial Relations Commission  
 Nauru House  
 80 Collins Street  
**MELBOURNE**  
**VIC 3000**

**ATTN: Belinda Penna**

Dear Belinda,

We published an autumn journal in June 2003 which contained the audited financial statements for the CFMEU year ending 2001. These were passed at the CFMEU State Conference held on the 22<sup>nd</sup> and 23<sup>rd</sup> May 2003.

Yours Sincerely,

Martin Kingham  
 State Secretary  
 CFMEU – C & G Division  
 Victorian Branch



VICTORIAN  
 DIVISIONAL BRANCH  
 500 SWANSTON STREET  
 CARLTON STH, VIC 3053

PH: (03) 9341 3444  
 FAX: (03) 9348 1794



**AUSTRALIAN INDUSTRIAL REGISTRY**

Level 8, Terrace Towers  
80 William Street, East Sydney, NSW 2011  
Telephone: (02) 8374 6666  
Fax: (02) 9380 6990

Mr Martin Kingham  
State Secretary  
CFMEU Construction & General Division  
Victorian Divisional Branch  
500 Swanston Street  
CARLTON SOUTH VIC 3053

Dear Mr Kingham

**Re: Lodgement of Financial Statements and Accounts for the CFMEU Construction & General Division, Victorian Branch for the year ending 31 December 2001 (FR2001/736)**

Receipt is acknowledged of your letter dated 27 August 2003, which was lodged in the Registry via facsimile on 10 September 2003.

The documents have now been filed. I note however your advice that the statements were published in an Autumn Journal in June 2003, and that the documents were passed at State Conference at the earlier date of 22 -23 May 2003.

I should draw your attention to the provisions of s279 of the *Workplace Relations Act 1996* which clearly require the publication or supply of financial statements and reports to members *prior to*, and *not after*, presenting them to a meeting of the committee of Management or general meeting. This is so as to provide members with an opportunity to consider the documents before the branch finally tables and lodges them in the Registry.

In order to comply strictly with the sequence contemplated by the legislation, the audited documents should be re-presented at the next appropriate meeting of the Committee of Management. There is no need however to reodge the documents in the Registry.

Please do not hesitate to contact me on (02) 8374 6607 if you have any queries in relation to this matter.

Yours sincerely,

Stephen Kellett  
for Deputy Industrial Registrar

10 September 2003