



AUSTRALIAN INDUSTRIAL REGISTRY

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

Ref: FR2002/833-[105N-VICU]

Mr Martin Kingham
State Secretary
Victoria Branch
Construction, Forestry, Mining and Energy Union
500 Swanston Street
MELBOURNE VIC 3000

Dear Mr Kingham

**Re: Construction, Forestry, Mining and Energy Union - Victoria Branch
Financial Reporting Obligations under *Workplace Relations Act 1996***

This is a courtesy letter to remind you of the financial reporting obligations of the abovenamed body under the *Workplace Relations Act 1996* ('the Act') for the financial year ended 31 December, 2002.

The legislative scheme set out in Part IX, Division 11 of the Act is directed at ensuring that a registered organisation or a branch of such an organisation discharges obligations of accountability to its members in relation to its financial affairs through proper and regular disclosure of financial information. The various steps of the financial reporting requirements must be carried out within the time-scales prescribed by the legislation so as to ensure the relevance of the financial information provided to the members.

Now that the financial year has ended, it is timely that you put in train the various steps of the financial reporting requirements. To assist you with this process I have enclosed for your information a notice summarising these requirements including the time-scales prescribed by the legislation.

Please note that a branch of an organisation may be exempted from the obligations arising under Part IX, Division 11 in respect of a financial year by satisfying a Registrar that the branch did not have any financial affairs during the financial year. An application under subsection 271A(1) of the Act must be made within 90 days (unless extended by a Registrar) after the end of the financial year.

Please do not hesitate to contact me on (02) 8374 6618 if you wish to discuss the financial reporting requirements, especially if you anticipate any difficulty in meeting any step in the time-scales prescribed.

Yours sincerely

Belinda Penna
E-mail: belinda.penna@air.gov.au
17 February 2003



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Our ref: FR2002/833

Mr Martin Kingham
Secretary
Victorian Branch
CFMEU
500 Swanston Street
CARLTON SOUTH VIC 3053

Dear Mr Kingham

**Re: CFMEU Victorian Branch
Outstanding Financial Documents - *Workplace Relations Act 1996***

There is no record of lodgement 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 2002.

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, lodgement of the required documents would, in the normal course, be expected before now.

Therefore, I request your written advice *by Monday 17 November 2003* 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. lodgement 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 would like to discuss this letter please contact me on (02) 8374 6618, or by email to belinda.penna@air.gov.au.

Yours sincerely

Belinda Penna

Belinda Penna
for Deputy Industrial Registrar

31 October 2003



10th November 2003

CONSTRUCTION

FORESTRY

MINING

ENERGY

UNION

Ms. Belinda Penna
Australian Industrial Registry
Level 8, Terrace Towers
80 William Street
EAST SYDNEY
NSW 2011

Dear Ms Penna,


Re: Branch Financial Returns

I write to you to advise that the CFMEU, Victorian Branch did not have any financial affairs for the financial year 2002. In fact the Branch does not operate a bank account, all financial transactions being conducted within the various Divisional Branches.

Therefore we seek an exemption certificate under S271A of the Workplace Relations Act 1996.

If you have any further queries, please contact Adrian Waterfall on 9341-3407.

Yours Faithfully,


Martin Kingham
CFMEU
Victorian Branch Secretary

VICTORIAN
DIVISIONAL BRANCH
500 SWANSTON STREET
CARLTON STH, VIC 3053

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





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

Dear Mr Kingham

**Re: Application for certificate of exemption from requirements of Part IX, Division 11 of the
*Workplace Relations Act 1996 (FR2002/833)***

I refer to your application dated 10 November 2003 for the above certificate in respect of the Victorian Branch of the Construction Forestry Mining & Energy Union for the financial year ending 31 December 2002.

I have allowed your application to be made after the 90 days prescribed in subsection 271A (3) of the Act. In relation to future applications by the branch please note the requirement to make the application within 90 days of the end of the financial year.

I have granted the application. My certificate is enclosed.

Should you wish to discuss this letter please contact me on 02 8374 6504.

Yours sincerely

Barry Jenkins
Deputy Industrial Registrar

17 November 2003

Workplace Relations Act 1996

s.271A certificate of exemption from requirements of Part IX, Division 11

Construction, Forestry, Mining and Energy Union
(FR2002/833)

CERTIFICATE

On 10 November 2003 an application was made under subsection 271A(1) of the *Workplace Relations Act 1996* for a certificate of exemption by the Victorian Branch of the Construction, Forestry, Mining and Energy Union, in respect of the financial year ending 31 December 2002. I am satisfied that the branch did not have any financial affairs in the financial year ending 31 December 2002.



Barry Jenkins
DEPUTY INDUSTRIAL REGISTRAR

17 November 2003