



FairWork
Commission

24 February 2016

Mr John Setka
State Secretary
Construction, Forestry, Mining and Energy Union – Victoria Branch

via email: queries@vic.cfmeu.asn.au

Dear Mr Setka

Section 271 application for exemption from the financial reporting obligations of Part 3 of Chapter 8 of the Fair Work (Registered Organisations) Act 2009 for financial year ended 31 December 2015 (FR2015/441)

I refer to your application pursuant to s271 of the *Fair Work (Registered Organisations) Act 2009* (RO Act), lodged in the Fair Work Commission (FWC) on 17 February 2016, in respect of the Victoria Branch of the Construction, Forestry, Mining and Energy Union (CFMEU VIC) for the financial year ended 31 December 2015.

I am satisfied that the CFMEU VIC is a reporting unit and that it did not have any financial affairs in the financial year which ended 31 December 2015. The attached certificate reflects this decision.

If you wish to discuss this matter, please contact Ms Joanne Fenwick on 03) 8656 4681 or by email to joanne.fenwick@fwc.gov.au.

Yours sincerely

Chris Enright
Director
Regulatory Compliance Branch

11 Exhibition Street Telephone: (03) 8661 7777
Melbourne VIC 3000 International: (613) 8661 7777
GPO Box 1994 Facsimile: (03) 9655 0401
Melbourne VIC 3001 Email: orgs@fwc.gov.au



CERTIFICATE

Fair Work (Registered Organisations) Act 2009

s.271 - Reporting unit's exemption from requirements of Chapter 8, Part 3

Construction, Forestry, Mining and Energy Union – Victoria Branch
(FR2015/441)

MR CHRIS ENRIGHT

MELBOURNE, 24 FEBRUARY 2016

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

[1] On 17 February 2016 an application was made under s 271 (1) of the *Fair Work (Registered Organisations) Act 2009* (the Act) by the Victoria Branch of the Construction, Forestry, Mining and Energy Union for a certificate of exemption in respect of the financial year ended 31 December 2015.

[2] On the basis of the material provided in the application, I am satisfied that the applicant is a reporting unit that did not have any financial affairs in respect of the financial year which ended 31 December 2015.



DELEGATE OF THE GENERAL MANAGER

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<Price Code A>

5 February, 2016

Fair Work Commission
Attention: Sam Gallichio
Advisor
11 Exhibition Street
Melbourne VIC 3000



Dear Mr Gallichio,

Re: Fair Work (Registered Organisations) Act 2009
Section 271 -Application for Certificate

I refer to your letter dated 15 January 2016 regarding the Lodgement of Financial Report FR2015/441 and make the following request for this entity. Pursuant to section 271 of the *Fair Work (Registered Organisations) Act 2009* (the Act), I hereby apply for a certificate of exemption for the Branch in respect of the financial year ended 31 December, 2015.

In support of this application I submit as follows:

1. The CFMEU consists of a number of Divisions.
2. There exists a number of Divisional Branches (or in the case of the Mining and Energy Division, District Branches) within these Divisions. Such Divisional (or District) Branches function within a designated geographical area, in most cases being the State or Territory in which they are established.
3. The CFMEU and each Division and Divisional (or District) Branch thereof submit annual financial returns in accordance with Chapter 8 of the Act.
4. CFMEU State Branches, including the Branch, consist of the members and officers of each Divisional (or District) Branch in each State or Territory.
5. The Branch has not had an account with a bank or any other financial institution nor has it had custody of any real property or monies during the financial year.

6. The Branch had no reason to keep accounting records and did not have any financial affairs during the financial year.
7. The Branch 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.
8. The various Divisional/District Branches within the State of Victoria expend their own economic resources and incur financial obligations so that the Branch may conduct its activities.
9. No person or body corporate or trust expends its own economic resources or incurs financial obligations so that the Branch may conduct its activities.
10. Notwithstanding the above, the Branch has functioned in accordance with the rules of the CFMEU including the rules relating to Branches.

Should you require further information please contact Edith Harris at edithh@vic.cfmeu.asn.au or on 03 9341 3456.

Yours faithfully,



John Setka

State Secretary

Construction, Forestry, Mining and Energy Union, Victoria Branch