



FAIR WORK  
AUSTRALIA

9 July 2010

Mr Joseph McDonald  
Assistant Secretary, Western Australia Divisional Branch  
Construction, Forestry, Mining and Energy Union  
PO Box 6681  
EAST PERTH WA 6892

Dear Mr McDonald

**Lodgment of Financial Accounts and Statements - Construction, Forestry, Mining and Energy Union, Construction and General Division, Western Australia Divisional Branch for years ending 31 December 2008 (FR2008/555), 31 December 2009 (FR2009/10231)**

Thank you for your letter dated 28 June 2010.

On the basis of your advice that all funds raised from the 107 Levy have been expended on legal costs incurred in relation to the matter for which they were raised, and have been audited, and in view of your undertaking that all transactions and amounts derived from or related to the Federal Branch will be reported in its financial returns, I have filed the 2008 and 2009 returns as they are without requiring that they be amended.

As suggested in your letter, I will be satisfied if the income raised from the 107 levy and the related costs expended in relation to the levy are dealt with by disclosure in a Note to the 2010 financial accounts.

Yours sincerely

Barry Jenkins  
Delegate of the General Manager  
Fair Work Australia



**CFMEU**

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28 June 2010

Mr B Jenkins  
Delegate of the General Manager  
Fair Work Australia  
Terrace Tower  
80 William Street  
EAST SYDNEY NSW 2011

Dear Sir

**LODGEMENT OF FINANCIAL ACCOUNTS AND STATEMENTS – CONSTRUCTION FORESTRY MINING AND ENERGY UNION CONSTRUCTION AND GENERAL DIVISION WESTERN AUSTRALIA BRANCH - FOR THE YEARS ENDED 31 DECEMBER 2008 AND 2009.**

We refer to your letter dated 21 June 2010 in relation to the above matter.

We understand that the main issue raised by you is whether or not the 107 Levy income (and subsequent expenditure of those funds) properly belonged to the Federal Divisional Branch as opposed to the State Union, which is the entity in which they were in fact recorded and disclosed.

The failure to comply with the disclosure and reporting guidelines set out in the Fair Work (Registered Organisations) Act 2009 (formerly the RAO Schedule) only resulted because these funds weren't reflected in the accounts of the Federal Divisional Branch. If they had been recorded in the accounts of the Federal Divisional Branch then the required disclosures would have been made.

Given that the members of the Federal Divisional Branch and the State Union are one of the same it can sometimes be difficult to determine to which entity specific items of income and expenditure should properly be recorded. At the time that the 107 Levy was raised it was considered the most appropriate entity to record them in was the State Union, in order to quarantine those funds for use on subsequent legal costs of the members affected, who were also members of the State Union. The focus was on the interests of the members concerned not on whether it was property of the Federal Divisional Branch or the State Union.

Whilst you have referred to extracts from the decision of the Western Australian Industrial Relations Commission delivered on 23 January 2009 it was not understood from those considerations, which primarily dealt with other issues, that a change in how the 107 Levy was accounted for was required.

We have brought this matter to the attention of our Auditor who has advised that, on the basis of your letter (and specifically that the site was covered by Federal Enterprise

Bargaining Agreements), there does appear to be a reasonable argument that these funds should have been accounted for in the accounts of the Federal Divisional Branch. He is however unsure as to whether or not there are other factors which should be considered. Also, based on your letter wherein you refer "...that future reports should reflect correct, full and proper disclosures of this..." he is unsure whether the 2008 and 2009 financial accounts are required to be amended or if the matter can be dealt with by disclosure in the 2010 financial accounts. Either way it may be appropriate for this to be disclosed in a note setting out the income raised from the levy and the related legal costs expended, particularly given that all funds raised from the 107 Levy have now been expended (or transferred to the Federal Divisional Branch and expended) on legal costs of the 107 individuals concerned and legal costs incurred by the Union in relation to the matter. Could you please advise as to how you recommend this matter be dealt with.

Finally we confirm that all funds raised via the 107 Levy have been spent on legal costs of the 107 individuals concerned and legal costs incurred by the Union in relation to the matter and that all funds have been audited.

We also undertake that all transactions and amounts derived from or related to the Federal Branch will be reported in its financial returns and that future financial reports will reflect correct, full and proper disclosure of this and similar items. We understand the importance of complying in all respects with the Commonwealth statutory reporting requirements and endeavour to do so.

If any further information is required please don't hesitate to contact me.

Yours Faithfully,



Joseph McDonald  
ASSISTANT SECRETARY



FAIR WORK  
AUSTRALIA

21 June 2010

Mr Kevin Reynolds  
Secretary, Western Australia Divisional Branch  
Construction & General Division  
Construction, Forestry, Mining and Energy Union  
PO Box 6681  
EAST PERTH WA 6892

Dear Mr Reynolds

**Lodgment of Financial Accounts and Statements - Construction, Forestry, Mining and Energy Union, Construction and General Division, Western Australia Divisional Branch for years ending 31 December 2008 (FR2008/555), 31 December 2009 (FR2009/10231)**

I refer to the abovementioned financial accounts and statements which were lodged with Fair Work Australia (formerly the Australian Industrial Registry) on 19 June 2009 and 4 June 2010 respectively. The documents have not yet been filed because I have had to have regard to a decision of the Western Australian Industrial Relations Commission, delivered by Acting President Mark Ritter, in *Thompson v. Reynolds and Ors* [2009] WAIRC 24, on 23 January 2009.

In his decision, His Honour referred to responses given in evidence by you regarding the finances of both the Federal Divisional Branch ('the Branch') and the State union ('the CFMEUW'). I have given particular consideration to statements concerning an account entry in the CFMEUW's accounts described as "107 levy". The relevant extract from the decision is as follows:

132. Mr Reynolds was also asked about an income line in the CFMEUW accounts for the year ending 31 December 2007 under the heading "107 levy". Mr Reynolds said this amount of \$773,784 was for the legal costs of 107 members, in responding to an application taken by the Australian Building and Construction Commissioner in the Federal Court. This arose out of action taken on a site covered by Federal Enterprise Bargaining Agreements (T413-415). Mr Reynolds was asked why the money was put into an account of the CFMEUW. Mr Reynolds said he "wanted to make sure it was held in Western Australia". Mr Reynolds was then asked whether he meant that he "wanted to make sure that that levy, that those monies, were the property of the Western Australian state organization." Mr Reynolds responded that he "wanted to make sure no-one else could get their hands on it." (T414)

This amount is a significant one and appears to have properly belonged to the Branch. I am concerned that neither the amount nor the name of the litigation was disclosed in the Branch's financial return for the year ending 31 December 2007 (FR2007/569) and that no subsequent disclosure was made in either of the two most recent reports, both of which have been prepared subsequent to the above decision.

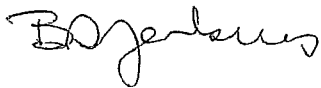
The non-disclosure of a Federal Branch-related amount of such a size in my opinion appears to represent a failure to comply with the requirements of the *Fair Work (Registered Organisations) Act 2009* (formerly the RAO Schedule) and the General Manager's (formerly the Industrial Registrar's) Reporting Guidelines<sup>1</sup>.

I consider this a matter that ought to be brought to the attention of your Auditor and that future reports should reflect correct, full and proper disclosure of this and any similar items in the Branch's accounts. I would expect your undertaking that all transactions and amounts derived from or related to the Federal Branch will be reported in its financial returns.

In view of the civil penalty provisions applying under the Act, it is critical that the Federal Branch complies in all respects with the Commonwealth statutory reporting requirements.

I therefore seek your advice and any submissions in relation to this matter that you wish to make in writing by no later than Friday 2 July 2010.

Yours sincerely,



Barry Jenkins  
Delegate of the General Manager  
Fair Work Australia

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<sup>1</sup> ref. paragraph 11(e): "Balances for the following items of expense must be disclosed by the reporting unit in the notes to the financial statements unless already disclosed on the face of the profit and loss statement in accordance with Australian Accounting Standards: .....(e) compulsory levies imposed on the reporting unit - for each such levy, the amount, a brief description of purpose and the name of the entity imposing the levy (including another reporting unit of the organisation)"



**Construction Forestry Mining and Energy Union  
Construction and General Division – WA Branch**

**Financial Report for the  
Year ended 31 December 2009**

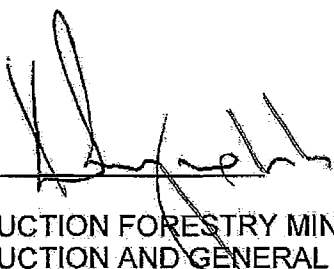
**CONSTRUCTION FORESTRY MINING AND ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION – WA BRANCH**

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**CERTIFICATE OF SECRETARY**

I, Kevin Noel Reynolds being the Secretary of the Construction Forestry Mining and Energy Union Construction and General Division – WA Branch certify:

- that the documentation lodged herewith are copies of the full report referred to in s268 of the Fair Work (Registered Organisations) Act 2009; and
- that the full report was provided to members on the 12 MAY 2010; and
- that the full report was presented to a meeting of the Management Committee on 1 JUNE 2010 in accordance with section 266 of the Fair Work (Registered Organisations) Act 2009.



Secretary

CONSTRUCTION FORESTRY MINING AND ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION – WA BRANCH

Dated this 1<sup>st</sup> day of JUNE 2010.

**CONSTRUCTION FORESTRY MINING AND ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION - WA BRANCH**

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**TABLE OF CONTENTS**

	PAGE
OPERATING REPORT	1 - 2
STATEMENT OF FINANCIAL POSITION	3
STATEMENT OF COMPREHENSIVE INCOME	4 - 5
STATEMENT OF CHANGES IN EQUITY	6
STATEMENT OF CASHFLOWS	7
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS	8 - 17
RECOVERY OF WAGES - STATEMENT OF RECEIPTS AND PAYMENTS	18
COMMITTEE OF MANAGEMENT STATEMENT	19 - 20
AUDITORS REPORT TO MEMBERS	21



**CONSTRUCTION FORESTRY MINING AND ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION – WA BRANCH**

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**OPERATING REPORT**

The Committee of Management present their operating report in respect of the year ended 31 December 2009 as follows:

**Members of the Management Committee**

The members of the Management Committee at any time during the year and the period for which he/she held the position were:

Campbell McCullough, Ian Hawkins, Glenn Hawkins, Kevin Reynolds, Joseph McDonald, Graham Pallot, Leslie Wellington, Peter Ballard, James Reid, Peter McGrahan, Tony Kelly and Matt Waters.

Each of the above members held the position for the full year.

**Review of Activities**

The principal activity of the Branch during the course of the financial year was to act as the Western Australian representative of the federally registered Construction, Forestry, Mining, and Energy Union – Construction and General Division (CFMEU C & G). The primary role of the Branch is to act on behalf of and to further the interests of its members.

There were no significant changes in the nature of the Branch's activities during the year.

The results of the activities for the year are summarised as follows:

- Total income was \$10,114,934 which represents an increase of \$629,686 from the prior year.
- The increase in income largely resulted from a 9.6% increase in membership subscriptions and a 7.7% increase in training levy.
- The surplus for the year was \$235,863 compared with \$3,876,527 in 2008. The decrease in the surplus compared to the 2008 year is attributed to a significant increase in legal and expenses and related settlement costs during the year.
- Full details of income and expenditure are set out on page 4 and 5.

**Significant Changes in Financial Affairs**

Significant changes in the state of affairs of the Branch during the year were:

- Total assets increased to \$11,858,794 as at 31 December 2009 (2008: \$8,967,789) with the increase arising mainly from increased Cash in Financial Institutions.
- Total liabilities increased to \$4,152,545 as at 31 December 2009 (2008: \$1,497,403) with the increase arising mainly from an increase in other financial liabilities.
- Net Assets increased to \$7,706,249 as at 31 December 2009 (2008: \$7,470,386).

There were no other significant changes in the Branch's affairs during the financial period.

**CONSTRUCTION FORESTRY MINING AND ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION – WA BRANCH**

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**The Right of Members to Resign**

A member may resign from the membership of the Union by a written notice addressed and delivered to the Divisional Branch Secretary or other officer of the Divisional Branch authorised to receive such correspondence.

**Membership Information**

The number of members of the Branch as at 31 December 2009 recorded in the register of members and taken to be members of the Branch were 9,041.

**Employee Information**

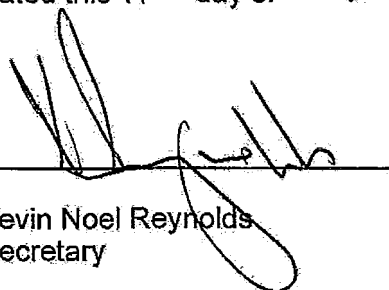
The number of full time equivalent employees of the Branch as at 31 December 2009 was 27.

**Trustee of a Superannuation Entity**

No officer or member is a trustee of a superannuation entity or an exempt public sector superannuation scheme or a director of a company that is a trustee of such an entity or scheme, where the criterion for the officer or member holding such a position is being an officer or member of a registered organisation.

Signed on behalf of the Committee of Management

Dated this 11<sup>th</sup> day of MAY 2010.



Kevin Noel Reynolds  
Secretary

**CONSTRUCTION FORESTRY MINING AND ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION – WA BRANCH**

**STATEMENT OF FINANCIAL POSITION  
AS AT 31 DECEMBER 2009**

	Note	2009 \$	2008 \$
<b>MEMBERS FUNDS</b>			
Balance at Beginning of Year		7,470,386	3,161,694
Transfer of Funds from Related Entities		-	312,467
Movement in Asset Revaluation Reserve		-	119,698
Surplus / (Deficiency)		235,863	3,876,527
		<u>7,706,249</u>	<u>7,470,386</u>
<b>REPRESENTED BY:</b>			
<b>CURRENT ASSETS</b>			
Cash on Hand		600	600
Cash in Financial Institutions		8,521,811	4,944,362
Managed Investments – at market value		732,875	770,488
<b>TOTAL CURRENT ASSETS</b>		<u>9,255,286</u>	<u>5,715,450</u>
<b>NON-CURRENT ASSETS</b>			
Sundry Debtors – CFMEUW		1,590,556	2,336,681
Loans Receivable – CFMEUW	2	348,559	348,559
Loans Receivable – CSTC	2	8,786	8,786
Furniture & Fittings - at cost		193,638	180,961
Furniture & Fittings - accumulated depreciation		(150,343)	(139,156)
Motor Vehicles - at cost		364,425	352,213
Motor Vehicles - accumulated depreciation		(146,675)	(114,706)
The Herrons property - at cost (in development stage)		115,562	-
Kalgoorlie Property - at fair value		279,000	279,000
<b>TOTAL NON CURRENT ASSETS</b>		<u>2,603,508</u>	<u>3,252,338</u>
<b>TOTAL ASSETS</b>		<u>11,858,794</u>	<u>8,967,789</u>
<b>CURRENT LIABILITIES</b>			
Trade Creditors		74,249	232,892
Sundry Creditors		136,803	145,479
GST clearing Account		186,242	201,719
Provision for Holiday Pay	3	449,305	379,344
Other Financial Liabilities		943,396	-
Trust Account		145,021	22,997
<b>TOTAL CURRENT LIABILITIES</b>		<u>1,935,016</u>	<u>982,431</u>
<b>NON CURRENT LIABILITIES</b>			
Provision for Long Service Leave	4	571,875	514,972
Other Financial Liabilities		1,645,654	-
<b>TOTAL NON CURRENT LIABILITIES</b>		<u>2,217,529</u>	<u>514,972</u>
<b>TOTAL LIABILITIES</b>		<u>4,152,545</u>	<u>1,497,403</u>
<b>NET ASSETS</b>		<u>7,706,249</u>	<u>7,470,386</u>

**CONSTRUCTION FORESTRY MINING AND ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION – WA BRANCH**

**STATEMENT OF COMPREHENSIVE INCOME  
FOR THE YEAR ENDED 31 DECEMBER 2009**

	Note	2009 \$	2008 \$
<b>REVENUE</b>			
Subscriptions		5,986,158	5,461,833
Training Levy		2,807,775	2,607,144
Hardship Fund Income		44,957	-
Revaluation / (Devaluation) of Managed investments		(37,612)	(236,825)
Joining Fees		115,800	119,985
Other Receipts - Sundry Income		429,707	713,121
Interest Received		132,817	220,739
Rent Received		17,662	9,125
Canteen Income		390,853	325,800
Eureka Products		89,842	106,721
Political and Donations		129,541	175,770
Gain / (loss) on Sale of Assets		7,434	(18,165)
		10,114,934	9,485,248
<b>EXPENDITURE</b>			
Administration fees		228,288	-
Advertising		23,007	23,740
Affiliation Fees		50,792	50,856
Auditor's Remuneration		37,125	38,988
Bank Charges		53,054	47,434
Campaign Costs		13,102	126,922
Canteen Expenditure		5,019	17,341
Charity Fund Expenditure		-	-
Computer Requirements		64,719	78,302
Consulting Fees		900	775
CSTC Training Top Up		276,387	50,630
Depreciation		71,841	52,369
Donations		89,950	38,440
Eureka Products Purchased		86,603	109,495
Freight		4,067	5,594
Funeral Benefits		100	700
Fringe Benefits Tax		12,165	25,506
Hardship Fund Expenditure		-	-
Insurance		84,166	81,338
Legal and Settlement Costs		4,000,169	333,497
Meeting Expenses		26,684	22,498
Motor Vehicle Expenses & Service charges		128,927	127,450
Payroll Tax		169,315	173,861
Parking		7,424	4,080
Photography		427	24
Printing, Postage & Stationery		212,696	213,319
Photocopying & Office Expenses		194,892	193,869
Provision for Employee Entitlements		126,865	3,398
Rent, Rates and Electricity		92,142	97,666

Continued on following page

**CONSTRUCTION FORESTRY MINING AND ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION – WA BRANCH**

**STATEMENT OF COMPREHENSIVE INCOME (continued)  
FOR THE YEAR ENDED 31 DECEMBER 2009**

	Note	2009 \$	2008 \$
<b>EXPENDITURE (continued)</b>			
Repairs & Maintenance		184	76
Salary Sacrifice		-	10,089
Staff Amenities		22,657	28,189
Subscriptions		18,379	27,311
Superannuation and Redundancy Contributions	5	409,253	447,440
Sustentation Fees (Federal)		466,977	430,480
Tea Money		74,161	82,905
Telephone		127,949	92,116
Training		1,500	-
Travel and Accommodation		363,452	209,374
Wages – Office holders	5	1,273,203	1,303,879
Wages - Other employees	5	1,060,530	1,058,770
		<u>9,879,071</u>	<u>5,608,721</u>
<b>SURPLUS FOR THE YEAR</b>		<u>235,863</u>	<u>3,876,527</u>
<b>Other comprehensive income for the year</b>		<u>-</u>	<u>-</u>
Surplus attributable to the Union		<u>235,863</u>	<u>3,876,527</u>
Total Comprehensive income attributable to the Union		<u>235,863</u>	<u>3,876,527</u>

To be read in conjunction with the attached notes

**CONSTRUCTION FORESTRY MINING AND ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION – WA BRANCH**

**STATEMENT OF CHANGES IN EQUITY  
FOR THE YEAR ENDED 31 DECEMBER 2009**

	<b>General Funds \$</b>	<b>Hardship Fund \$</b>	<b>Reserves \$</b>	<b>Total \$</b>
<b>Balance at 31 December 2007</b>	<b>2,552,927</b>	<b>608,767</b>	<b>-</b>	<b>3,161,694</b>
Total Comprehensive income for the period ended 31 December 2007	3,876,527	-	-	3,876,527
Transfer of Funds from Related Entities	312,467	-	-	312,467
Increase in Asset Revaluation Reserve	-	-	119,698	119,698
<b>Balance at 31 December 2008</b>	<b>6,741,921</b>	<b>608,767</b>	<b>119,698</b>	<b>7,470,386</b>
Total Comprehensive income for the period ended 31 December 2008	235,863	-	-	235,863
Transfer of Funds from Related Entities	-	-	-	-
Increase in Asset Revaluation Reserve	-	-	-	-
<b>Balance at 31 December 2009</b>	<b>6,977,784</b>	<b>608,767</b>	<b>119,698</b>	<b>7,706,249</b>

**CONSTRUCTION FORESTRY MINING AND ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION – WA BRANCH**

**STATEMENT OF CASHFLOWS  
FOR THE YEAR ENDED 31 DECEMBER 2009**

	Notes	2009 \$	2008 \$
<b>Cashflows from Operating Activities</b>			
Receipts from members		9,031,757	8,188,962
Other receipts		1,102,562	957,572
Payments to suppliers and employees		(7,274,111)	(7,430,580)
Interest received		132,817	220,739
<b>Net Cash Provided by (expended on) Operating Activities</b>	7	<u>2,993,025</u>	<u>1,936,693</u>
<b>Cashflows From Investing Activities</b>			
Payments for Investments		(115,561)	-
Payments for Plant & Equipment		(73,413)	(163,937)
Proceeds from Sale of Equipment		27,273	23,637
<b>Net Cash Provided by (used in) Investing Activities</b>		<u>(161,701)</u>	<u>(140,300)</u>
<b>Cashflows From Financing Activities</b>			
Receipts from Related Entities		746,125	312,467
Decrease in Loans Payable		-	-
Decrease in Loans Receivable		-	-
<b>Net Cash Provided by (used in) Financing Activities</b>		<u>746,125</u>	<u>312,467</u>
Net Increase (Decrease) in Cash Held		3,577,449	2,108,860
Cash at 1 January 2009		4,944,962	2,836,102
Cash at 31 December 2009		<u>8,522,411</u>	<u>4,944,962</u>

To be read in conjunction with the attached notes

**CONSTRUCTION FORESTRY MINING AND ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION – WA BRANCH**

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**NOTES TO AND FORMING PART OF THE ACCOUNTS**

**1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The financial statements have been prepared in accordance with Accounting Standards, Urgent Issues Group Interpretations, other pronouncements of the Australian Accounting Standards Board and the reporting guidelines made under section 255 of the Fair Work (Registered Organisations) Act 2009.

The financial report of Construction Forestry Mining and Energy Union Construction and General Division – WA Branch complies with all Australian equivalents to International Financial Reporting Standards (AIFRS) in their entirety.

The financial statements have been prepared on an accruals basis and based on historical costs modified by the revaluation of selected non-current assets, and financial assets and financial liabilities for which the fair value basis of accounting has been applied.

**(a) MEMBERSHIP CONTRIBUTIONS AND LEVY INCOME**

Membership contributions and levy income are accounted for on a cash receipts basis.

**(b) PROPERTY, PLANT AND EQUIPMENT**

Each class of property, plant and equipment is carried at cost or fair value less, where applicable, any accumulated depreciation and impairment loss.

Plant and equipment is carried at cost, whilst the Kalgoorlie property is carried at fair value based on an appraisal (not an independent valuation) of relevant sales evidence, as at August 2008.

The carrying amount of property, plant and equipment is reviewed annually by board members to ensure it is not in excess of the recoverable amount from these assets. The recoverable amount is assessed on the basis of the expected net cash flows that will be received from the assets' employment and subsequent disposal.

**Depreciation**

The Depreciable amount of all fixed assets is depreciated on the diminishing value over their useful lives to the Union commencing from the time the asset is held ready for use.

The depreciation rates used for each class of depreciable assets are:

Furniture & Fittings	10-37.5%pa
Motor Vehicles	22.5%pa
Property	Nil pa

**(c) IMPAIRMENT OF ASSETS**

At each reporting date, the union reviews the carrying values of its tangible assets to determine whether there is any indication that those assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, is compared to the asset's carrying value. Any excess of the asset's carrying value over its recoverable amount is expensed to the statement of comprehensive income

**(d) 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).



**NOTES TO AND FORMING PART OF THE ACCOUNTS**

**1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)**

**e) FINANCIAL INSTRUMENTS**

**Recognition**

Financial instruments are initially measured at cost on trade date, which includes transaction costs, when the related contractual rights or obligations exist. Subsequent to initial recognition these instruments are measured as set out below.

**Financial assets at fair value through profit and loss**

A financial asset is classified in this category if acquired principally for the purpose of selling in the short term or if so designated by management and within the requirements of AASB 139: Recognition and Measurement of Financial Instruments. Realised and unrealised gains and losses arising from changes in the fair value of these assets are included in the statement of comprehensive income in the period which they arise.

**Loans and receivables**

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are stated at amortised cost using the effective interest rate method.

**Available-for-sale financial assets**

Available-for-sale financial assets include any financial assets not included in the above categories. Available-for-sale financial assets are reflected at fair value. Unrealised gains and losses arising from changes in fair value are taken directly to equity.

**Fair value**

Fair value is determined based on current bid prices for all quoted investments. Valuation techniques are applied to determine the fair value for all unlisted securities, including recent arm's length transactions, reference to similar instruments and option pricing models.

**Impairment**

At each reporting date, the Union assess whether there is objective evidence that a financial instrument has been impaired. In the case of available-for-sale financial instruments, a prolonged decline in the value of the instrument is considered to determine whether impairment has arisen. Impairment losses are recognised in the statement of comprehensive income

**f) EMPLOYEE BENEFITS**

Provision is made for the Union's liability for employee benefits arising from services rendered by employees at balance date.

Liability for Annual Leave benefits are expected to be settled within 12 months and are therefore considered current liabilities. Liability for Long Service Leave benefits are not expected to be settled within 12 months and are therefore considered non current liabilities, notwithstanding that any immaterial amounts may be settled within the next 12 months.

Provisions for employee benefits are brought to account at the amounts expected to be paid when the liability is settled, plus related on-costs. Provisions for redundancy fund are accrued at its current value. Any movement in the redundancy provision is expensed through the superannuation account.

Superannuation contributions made by the Union are expensed when due, except in the case for the redundancy fund mentioned above.

**NOTES TO AND FORMING PART OF THE ACCOUNTS**

**1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)**

**g) GOODS & SERVICES TAX (GST)**

Revenues, expenses and assets are recognised net of the amount of GST except;

- Where GST incurred on purchases is not recoverable from the ATO, GST is recognised as part of the cost of the purchase.

Receivables and payables are stated with the amount of GST included.

**h) MANAGED INVESTMENTS**

Managed Investments comprise of a diversified portfolio of tradeable equities, managed funds and cash, managed by an independent fund manager. Managed Investments are classified as "financial assets at fair value through profit and loss" and are recorded at net market value, with any changes in net market value brought to account in the Statement of Comprehensive Income in the periods in which they occur.

**(i) ADOPTION OF NEW AND REVISED ACCOUNTING STANDARDS**

During the current year the Union adopted all of the new and revised Australian Accounting Standards and Interpretations applicable to its operations which became mandatory.

**AASB 101: Presentation of Financial Statements**

In September 2007 the Australian Accounting Standards Board revised AASB 101 and as a result, there have been changes to the presentation and disclosure of certain information within the financial statements. Below is an overview of the key changes and the impact on the Union's financial statements.

*Disclosure impact*

**Terminology changes** — The revised version of AASB 101 contains a number of terminology changes, including the amendment of the names of the primary financial statements.

**Reporting changes in equity** — The revised AASB 101 requires all changes in equity arising from transactions with owners, in their capacity as owners, to be presented separately from non-owner changes in equity. Owner changes in equity are to be presented in the statement of changes in equity, with non-owner changes in equity presented in the statement of comprehensive income. The previous version of AASB 101 required that owner changes in equity and other comprehensive income be presented in the statement of changes in equity.

**Statement of comprehensive income** — The revised AASB 101 requires all income and expenses to be presented in either one statement, the statement of comprehensive income, or two statements, a separate income statement and a statement of comprehensive income. The previous version of AASB 101 required only the presentation of a single income statement.

The Union's financial statements now contain a statement of comprehensive income.

**NOTES TO AND FORMING PART OF THE ACCOUNTS**

**1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)**

**(i) ADOPTION OF NEW AND REVISED ACCOUNTING STANDARDS (continued)**

Other comprehensive income — The revised version of AASB 101 introduces the concept of 'other comprehensive income' which comprises of income and expenses that are not recognised in profit or loss as required by other Australian Accounting Standards. Items of other comprehensive income are to be disclosed in the statement of comprehensive income. Entities are required to disclose the income tax relating to each component of other comprehensive income. The previous version of AASB 101 did not contain an equivalent concept.

**(j) NEW ACCOUNTING STANDARDS FOR APPLICATION IN FUTURE PERIODS**

The AASB has issued new and amended accounting standards and interpretations that have mandatory application dates for future reporting periods. The Union has decided against early adoption of these standards. A discussion of those future requirements and their impact on the Union follows:

- AASB 2008–5: Amendments to Australian Accounting Standards arising from the Annual Improvements Project (applicable for annual reporting periods commencing from 1 January 2009) and AASB 2008–6: Further Amendments to Australian Accounting Standards arising from the Annual Improvements Project (applicable for annual reporting periods commencing from 1 July 2009).

These standards detail numerous non-urgent but necessary changes to accounting standards arising from the IASB's annual improvements project. No changes are expected to materially affect the Union.

- AASB 2009–4: Amendments to Australian Accounting Standards arising from the Annual Improvements Project [AASB 2 and AASB 138 and AASB Interpretations 9 & 16] (applicable for annual reporting periods commencing from 1 July 2009) and AASB 2009–5: Further Amendments to Australian Accounting Standards arising from the Annual Improvements Project [AASB 5, 8, 101, 107, 117, 118, 136 & 139] (applicable for annual reporting periods commencing from 1 January 2010).

These standards detail numerous non-urgent but necessary changes to accounting standards arising from the IASB's annual improvements project. No changes are expected to materially affect the Union.

- AASB 2009–7: Amendments to Australian Accounting Standards [AASB 5, 7, 107, 112, 136 & 139 and Interpretation 17] (applicable for annual reporting periods commencing on or after 1 July 2009).

This standard reflects editorial changes made to a number of accounting standards by the IASB. No changes are expected to materially affect the Union.

- AASB Interpretation 18: Transfers of Assets from Customers (applicable for transfers of assets from customers received from 1 July 2009).

This guidance applies prospectively to entities that receive transfers of assets, such as plant and equipment, from their customers so that these customers can be connected to a network and provided with access to a supply of goods or services. The Interpretation outlines the appropriate accounting treatment in respect of such transfers and it is not expected to impact the Union.

The Union does not anticipate early adoption of any of the above reporting requirements.

**CONSTRUCTION FORESTRY MINING AND ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION – WA BRANCH**

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**NOTES TO AND FORMING PART OF THE ACCOUNTS**

**CRITICAL ACCOUNTING ESTIMATES AND JUDGEMENTS**

The Union evaluate estimates and judgements incorporated into the financial report based on historical knowledge and best available current information. Estimates assume a reasonable expectation of future events and are based on current trends and economic data, obtained both externally and within the union.

*Key estimates – Impairment*

The Union assesses impairment at each reporting date by evaluating conditions specific to the Union that may lead to impairment of assets. Where an impairment trigger exists, the recoverable amount of the asset is determined. Value-in-use calculations performed in assessing recoverable amounts incorporate a number of key estimates.

**REGISTRATION STATUS**

The Construction Forestry Mining and Energy Union Construction and General Division – WA Branch is a federally registered divisional branch of the Construction Forestry Mining and Energy Union.

**CONSTRUCTION FORESTRY MINING AND ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION – WA BRANCH**

**NOTES TO AND FORMING PART OF THE ACCOUNTS**

**2 LOANS RECEIVABLE**

The loans receivable from the Construction Forestry Mining and Energy Union of Workers (CFMEUW) and the Construction Skills Training Centre (CSTC) are unsecured, interest free and at call.

**3 PROVISION FOR HOLIDAY PAY**

**2009**

**2008**

Amounts payable to:

- Office holders	260,339	260,597
- Other Employees	188,966	118,747
	<u>449,305</u>	<u>379,344</u>

**4 PROVISION FOR LONG SERVICE LEAVE**

Amounts payable to:

- Office holders	426,582	389,824
- Other Employees	145,293	125,148
	<u>571,875</u>	<u>514,972</u>

**5 EMPLOYEE BENEFITS**

Employee benefits paid to Office holders during the year comprised of:

Wages	1,182,118	1,269,236
Annual leave/long service leave	91,085	34,643
Non monetary benefits	78,030	57,789
Superannuation and Redundancy	270,668	304,060
	<u>1,621,901</u>	<u>1,665,728</u>

Employee benefits paid to other employees during the year comprised:

Wages	975,812	1,013,100
Annual leave/long service leave	84,718	45,696
Non monetary benefits	21,421	24,350
Superannuation and Redundancy	138,585	143,380
	<u>1,220,536</u>	<u>1,226,526</u>

**CONSTRUCTION FORESTRY MINING AND ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION – WA BRANCH**

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**NOTES TO AND FORMING PART OF THE ACCOUNTS**

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

In accordance with the requirements of Section 272, subsections (1), (2) and (3) of the Fair Work (Registered Organisations) Act 2009, an organisation shall, on the application of a member of the organisation or the General Manager of Fair Work Australia (FWA) made as prescribed, make available to the member or to the General Manager of FWA, as the case may be, specified information in such manner and within such time as is prescribed.

The General Manager of FWA shall not make an application except at the request of a member of the organisation concerned, the General Manager, when he receives information as result of an application, made at the request of such a member, shall furnish the information to the member.

**7 CASHFLOW INFORMATION**

Reconciliation of Cashflow from Operations with Operating Surplus is as follows:

	<b>2009</b>	<b>2008</b>
<b>Operating Surplus</b>	235,863	3,876,527
Non cash flows in operating surplus		
Depreciation	71,841	52,369
Revaluation of Managed Investments	37,612	236,825
Changes in Assets and Liabilities:		
(Increase)/decrease in receivables	-	(2,317,586)
Increase/(decrease) in payables	2,528,279	198,568
Increase/(decrease) in employee entitlements	126,864	(128,175)
(Profit)/Loss on sale of investments/assets	(7,434)	18,165
<b>Cash Flows from (to) Operations</b>	<u>2,993,025</u>	<u>1,936,693</u>

**NOTES TO AND FORMING PART OF THE ACCOUNTS**

**8 FINANCIAL RISK MANAGEMENT**

The Union undertakes transactions in a range of financial instruments. The material financial instruments are:

- Cash assets
- Managed investments (a diversified portfolio of tradeable listed investments, managed funds and cash management trusts)
- Sundry debtors and loans receivable
- Trade and sundry creditors
- Other financial liabilities

The union does not have any derivative instruments as at 31 December 2009 and does not speculate in any types of financial instruments.

The activities of the Union expose it primarily to the financial risks, associated with its financial instruments, of market risk, credit risk and interest rate risk. The Committee of Management are responsible for the monitoring and managing the financial risks of the Union. They monitor these risks through monthly board meetings where management accounts are presented and analysed. Any changes or issues identified are communicated to the administration team who implement changes. Management of the different types of financial risks are explained below;

**a) Market Risk**

The only material market risk we are exposed to is the risk that the fair value or future cash flows of our managed investments will fluctuate because of changes in market prices. We manage these risks by having a diversified portfolio of tradeable equities, managed funds and cash, managed by an independent funds manager. The investment value and returns are regularly reported to and monitored by the Committee of Management who makes changes as required.

***Sensitivity Analysis***

If market prices of our tradeable securities were 10% higher or lower the impact on our operating surplus would be to increase/decrease the surplus by approximately \$20,000 (as a substantial proportion of the managed investments are currently held in cash). A sensitivity of 10% has been selected as this is considered reasonable given the diversified portfolio.

**b) Credit Risk**

Credit risk is the risk that a contracting entity will not complete its obligations to repay us and thus will cause us to make a financial loss.

The largest material credit risk we are exposed to relates to cash assets, which comprises cash at banks and managed investments. We manage these risks by limiting the amount of funds invested with any financial institution and by evaluation of the financial institutions selected.

The Union also has exposure to credit risk through its sundry debtors and loans receivable. Most receivables are from a related union (the CFMEUW). Whilst there is a concentration of credit risk it has been assessed that the CFMEUW can comfortably meet its obligations.

**CONSTRUCTION FORESTRY MINING AND ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION – WA BRANCH**

**NOTES TO AND FORMING PART OF THE ACCOUNTS**

**8 FINANCIAL RISK MANAGEMENT (continued)**

**c) Liquidity Risk**

Liquidity risk is the risk that the Union will not be able to meet its financial obligations as they fall due, the Union manages liquidity risk by maintaining adequate cash reserves and by monitoring forecast cash flows, which reflect managements' expectations of the settlement of financial assets and liabilities.

All financial assets and liabilities mature within a period of less than 12 months, other than non current financial liabilities of \$1,645,654 which are payable in instalments over 3 years.

**d) Fair Value Financial Instruments**

The carrying amounts of financial assets and liabilities approximate their fair values.

**e) Interest Rate Risk**

The Unions' exposure to interest rate risk, which is the risk that a financial instruments' value will fluctuate as a result of the changes in market interest rates, is limited only to its cash holdings with a number of banks.

To demonstrate the Unions' sensitivity to changes in interest rates a movement in rate of plus or minus 1% at the reporting date would have increased / decreased net profit by approximately \$84,000. For further details on interest rate risk refer to the table below.

*The following table summarises interest rate risk for the Company together with effective interest rates as at balance date:*

	Floating Interest Rate	Fixed rate maturing:		Non - Interest Bearing	TOTAL	Interest Rates:	
		1 year or less	Over 1 year			Fixed	Floating
<b>2009</b>							
<b>Financial Assets</b>							
Cash Assets	7,358,229	1,163,582	-	600	8,522,411	6%	3.25%
Managed Investments	-	-	-	732,875	732,875	-	-
Sundry Debtors	-	-	-	1,590,556	1,590,556	-	-
Related Entity Loans	-	-	-	357,345	357,345	-	-
<b>Total Financial Assets</b>	<b>7,358,229</b>	<b>1,163,582</b>	<b>-</b>	<b>2,681,376</b>	<b>11,203,187</b>		
<b>2008</b>							
	4,944,362	-	-	3,465,114	8,409,476		
<b>2009</b>							
<b>Financial Liabilities</b>							
Trade payables	-	-	-	74,249	74,249	-	-
Other payables	-	-	2,589,050	468,066	3,057,116	6%	-
<b>Total Financial Liabilities</b>	<b>-</b>	<b>-</b>	<b>2,589,050</b>	<b>542,315</b>	<b>3,131,365</b>		
<b>2008</b>							
	-	-	-	603,087	603,087		

*Floating interest rates represent the most recently determined rate applicable to the instrument at balance date.*



**CONSTRUCTION FORESTRY MINING AND ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION – WA BRANCH**

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**NOTES TO AND FORMING PART OF THE ACCOUNTS**

**9 CONTINGENT LIABILITIES**

The Union and specified officials are subject to regulatory actions and are being sued for unspecified damages in a number of separate actions arising from industrial disputes. The Committee of Management are of the opinion that the actions can be successfully defended by the Union and are currently involved in litigation challenging the actions.

Given the complex and protracted nature of these actions and advice from legal counsel, it is not practicable to estimate the potential financial impact, if any, of these actions at this time.

The information usually required by AASB 137 Provisions, Contingent Liabilities and Contingent Assets, is not disclosed on the grounds that it can be expected to prejudice seriously the outcome of the litigation.

**10 RELATED PARTY DISCLOSURES**

There are no related party transactions other than remuneration of office holders, as disclosed in Note 5, loans receivable and sundry debtors from the Construction Forestry Mining and Energy Union of Workers (CFMEUW) and Construction Skills Training Centre (CSTC), as disclosed in the Statement of Financial Position and Administration fees charged to the Construction Skills Training Centre and reimbursement of legal fees from CFMEUW, as disclosed in the Statement Of Comprehensive Income.

**12 EVENTS SUBSEQUENT TO BALANCE DATE**

No matters or events have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the Branch, the results of those operations or the state of affairs of the Branch in subsequent financial periods.

**CONSTRUCTION FORESTRY MINING AND ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION – WA BRANCH**

**STATEMENT OF RECEIPTS AND PAYMENTS FOR RECOVERY OF WAGES ACTIVITY  
CASH BASIS FOR YEAR ENDED 31 DECEMBER 2009**

	2009	2008
	\$	\$
<b>Receipts</b>		
Amounts recovered from employers in respect of wages etc	429,428	-
Interest received on recovered money	-	-
<b>Total receipts</b>	<u>429,428</u>	-
<b>Payments</b>		
Deductions of amounts due in respect of membership for:		
- 12 months or less	26,498	-
- greater than 12 months	-	-
Deductions of donations or other contributions to accounts Or funds of:		
- Construction & Building Industry Super	-	-
- WA Construction Industry Redundancy Fund	-	-
Deductions of fees or reimbursement of expenses	-	-
Payments to workers in respect of recovered money	<u>280,906</u>	-
<b>Total payments</b>	<u>307,404</u>	-
<b>Surplus / Deficit for the year</b>	<u>122,024</u>	-

**BALANCE SHEET AS AT 31 DECEMBER 2009**

**Assets**

Cash at bank at beginning of period	22,997	22,997
Add Excess (deficiency) of Receipts over Payments	122,024	-
<b>Total Assets</b>	<u>145,021</u>	<u>22,997</u>

**Liabilities**

Unclaimed Wages (in respect of 189 workers In 2009 and 46 workers in 2008)	<u>145,021</u>	<u>22,997</u>
<b>Total Liabilities</b>	<u>145,021</u>	<u>22,997</u>

**CONSTRUCTION FORESTRY MINING AND ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION – WA BRANCH**

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**COMMITTEE OF MANAGEMENT STATEMENT**

The Committee of Management of Construction Forestry Mining and Energy Union Construction and General Division – WA Branch passed the following resolution at a Management Committee meeting held on 11<sup>th</sup> MAY 2010 in relation to the general purpose financial report (GPFR) of the reporting unit for the financial year ended 31 December 2009:

The Committee of Management declares in relation to the GPFR that in its opinion:

- a) the financial statements and notes comply with the Australian Accounting Standards;
- b) the financial statements and notes comply with the 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 reporting unit for the financial year to which they relate;
- d) there are reasonable grounds to believe that the reporting unit 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 the year:
  - (i) meetings of the committee of management were held in accordance with the rules of the organisation including the rules of a branch concerned; and
  - (ii) the financial affairs of the reporting unit have been managed in accordance with the rules of the organisation including the rules of a branch concerned; and
  - (iii) the financial records of the reporting unit have been kept and maintained in accordance with the Fair Work (Registered Organisations) Act 2009 and the Fair Work (Registered Organisations) Regulations 2009; and
  - (iv) 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; and
  - (v) the information sought in any request of a member of the reporting unit or the General Manager of FWA duly made under section 272 of the Fair Work (Registered Organisations) Act 2009 has been furnished to the member or General Manager; and
  - (vi) there has been compliance with any order for inspection of financial records made by FWA under section 273 of the Fair Work (Registered Organisations) Act 2009.
- f) in relation to 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 General Manager of FWA; 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 had been derived for the financial year in respect of such activity; and

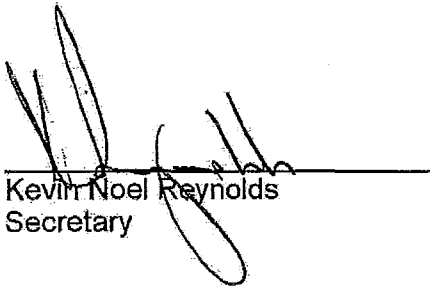
**CONSTRUCTION FORESTRY MINING AND ENERGY UNION  
CONSTRUCTION AND GENERAL DIVISION – WA BRANCH**

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**COMMITTEE OF MANAGEMENT STATEMENT (continued)**

- (iii) no fees or reimbursements of expenses in relation to recovery of wages activity or donations or other contributions were deducted from monies recovered from employers on behalf of workers other than reported in the financial report on 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 a written policy or fees to be charged or reimbursement of expenses required for recovery of wages activity, and any likely request 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 monies recovered from employers on behalf of workers until distributions of recovered money were made to the workers.

This declaration is true and I know that it is an offence to make a declaration knowing that it is false in a material particular - for and on behalf of the Committee of Management:



Kevin Noel Reynolds  
Secretary

Dated this 11<sup>th</sup> day of MAY 2010.

AUDITORS REPORT

TO THE MEMBERS OF CONSTRUCTION FORESTRY MINING AND ENERGY UNION  
THE CONSTRUCTION AND GENERAL DIVISION – WA BRANCH

**Report on the Financial Report**

We have audited the Accounts of the Construction Forestry Mining and Energy Union Construction and General Division – WA Branch for the year ended 31 December 2009, including the Recovery of Wages – Statement of Receipts and Payments.

**Management Committees' Responsibility for the financial report**

The Management Committee is responsible for the preparation and presentation of the financial statements and the information contained therein. This responsibility includes designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of the accounts that it is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

**Auditors Responsibility**

We have conducted an independent audit of these accounts in order to express an opinion on them to the Members of the Branch.

Our audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance as to whether the accounts are free from material misstatement. Our procedures included examination on a test basis, of evidence supporting the amounts and other disclosures in the Accounts, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects the accounts are presented fairly in accordance with Australian Accounting Standards and statutory requirements so as to present a view of the Branch which is consistent with our understanding of its financial position and the results of its operations.

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

**Independence**

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

**Audit Opinion**

In our opinion:

- (i) there were kept by the organisation in respect of the period satisfactory accounting records detailing the sources and nature of the income of the organisation (including income from members) and the nature and purpose of expenditure;
- (ii) the attached accounts, notes, Recovery of Wages – Statement of Receipts and Payments and statements on pages 3 to 20 have been prepared in accordance with applicable Accounting Standards, and are properly drawn up in accordance with the provisions of Section 255 of the Fair Work (Registered Organisations) Act 2009 in accordance with the rules of the organisation, and so as to give a true and fair view of,
  - a) the financial affairs of the organisation as at 31 December 2009, including properly and fairly reporting all information required by the reporting guidelines of the General Manager of FWA; and
  - b) the income and expenditure and surplus of the organisation for the year ended on that date.

*Moore Stephens*

MOORE STEPHENS

*Neil Pace*

NEIL PACE  
PARTNER  
REGISTERED COMPANY AUDITOR  
# 182668

Dated this 11 day of May 2010 in  
Perth, Western Australia.

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11 January 2010

Mr Kevin Reynolds  
Secretary, Western Australia Divisional Branch  
Construction, Forestry, Mining and Energy Union  
PO Box 6681  
EAST PERTH WA 6892



Fair Work  
Australia



Dear Mr Reynolds

**Lodgment of Financial Statements and Accounts –  
Western Australia Branch, Construction & General Division - for year ended 31 December 2009  
(FR2009/10231)**

The financial year of the Western Australia Branch, Construction & General Division, has recently ended. This is a courtesy letter to remind you of the obligation to prepare the reporting unit's financial documents and to lodge audited financial accounts and statements with Fair Work Australia within the prescribed time frame unless a 1 month extension or an application for a certificate of exemption under the *Fair Work (Registered Organisations) Act 2009* ('the RO Act') is applied for and granted.

The documents you must lodge include:

- (i) A *general purpose financial report* [see section 253(2)]; (ii) A *Committee of Management statement* (see the General Manager's Reporting Guidelines); (iii) An *operating report* [see section 254(2)]; (iv) An *auditor's report* [see sections 257(5) to 257(11)]; and (v) A *certificate* of the *secretary or other designated officer* [see section 268(c)].

I draw your particular attention to

- (a) s237 which requires you to prepare and lodge *a separate statement* providing the prescribed particulars of any loan, grant or donation made during the year which exceeds \$1,000;
- (b) s265(5) which requires you to publish or otherwise *provide your members with completed/signed copies* of the audited accounts, report and statements before final presentation and lodgment; and
- (c) s266 which requires you to *present the completed documents to an eligible meeting* (either of the members or of the committee, whichever applies). Note that this meeting is distinct from any initial committee meeting convened to prepare, sign or otherwise approve pre-audited documents.

Relevant references may be found at <http://www.fwa.gov.au/index.cfm?pagename=regorgsfrguidelines> and <http://www.fwa.gov.au/index.cfm?pagename=legislationfwroact>. If you are in any doubt as to the requirements or wish to clarify any aspect of the relevant legislation, or anticipate any difficulty in complying with the requirements, do not hesitate to contact Fair Work Australia.

Yours sincerely,

Stephen Kellett  
Statutory Services Branch

Fair Work Australia  
Level 8, 80 William Street  
EAST SYDNEY NSW 2011

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