



**Australian Government**  
**Australian Industrial Registry**

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

**Ref: FR2007/570-[105N-WADB]**

Mr Gary Wood  
District Secretary  
CFMEU - Mining and Energy Division Western  
Australia District Branch  
75 Throssell Street  
COLLIE WA 6625

Dear Mr Wood

**Financial Return - year ending 31 December, 2007**

Our records show the organisation's financial year ended recently. This letter outlines some of the things you must do to meet your financial reporting obligations and when you have to do them. For simplicity, we will call the documents you have to lodge with us your *financial return*.

This letter is intended as guide to the law applicable on the date of this letter, and should not be used as a substitute for legal or accounting advice. We only summarise some of the reporting requirements in this letter. More detailed information is at the end of this letter.

**Information on AIRC Website**

We recommend you and your accountant/auditor also refer to the following documents on the Commission's website at [www.airc.gov.au](http://www.airc.gov.au):

- [RAO Schedule](#)
- [RAO Regulations](#)
- [Registrar's Reporting Guidelines](#) - All GPFR's must comply with these Guidelines. Please note that the Guidelines set out requirements that are *in addition* to those required by the Australian Accounting Standards.
- [RAO Fact Sheets](#) - These Fact Sheets explain the requirements of the RAO Schedule - many of them deal with financial reporting matters.

**Reporting Unit**

Under the provisions of the Registration and Accountability of Organisations Schedule (RAO), Schedule 1 of the *Workplace Relations Act 1996*, reporting entities are known as "*reporting units*". Where an organisation is **not** divided into branches the reporting unit is the whole of the organisation. Where an organisation **is** divided into branches each branch will be a reporting unit unless the Industrial Registrar has determined a division of the organisation into reporting units on an alternative basis. We can discuss this with you if you need more information.

For simplicity, we will use the term "reporting unit" in this letter.

## Industrial Registrar's Guidelines

The Industrial Registrar's reporting guidelines set out certain disclosure requirements in addition to those prescribed by Australian Accounting Standards having in mind the nature of organisations registered under the Workplace Relations Act.

The disclosure requirements prescribed by the reporting guidelines are directed towards providing members of the reporting unit with information to enable them to gauge the performance of the committee of management and other holders of office in relation to the financial management of the reporting unit. In addition, the reporting guidelines seek to improve the quality of information available to users of the financial report about the reporting unit's economic support of, or economic dependency on, other reporting units of the organisation.

### Timeline Planner and Checklist

We have attached a Timeline/Planner (*Attachment A*) to help you **plan** your financial return and carry out all the necessary steps. We have also attached a Document Checklist (*Attachment B*) to **check** your documents before lodging them in the Registry. Both documents are abbreviated summaries of the relevant provisions of the RAO Schedule, RAO Regulations and the Industrial Registrar's Reporting Guidelines.

In the following section we describe some of the documents your reporting unit must prepare and the sequence of their preparation and completion.

### Three Reports

Your reporting unit must prepare two reports as soon as practicable after its financial year, which, together with the Auditor's Report, comprise the reporting unit's financial return.

1. **General Purpose Financial Report** - this must comply with the Australian Accounting Standards and the Industrial Registrar's Reporting Guidelines. The GPFR consists of:

(a) Financial Statements containing:

- a profit and loss statement, or other operating statement; and
- a balance sheet; and
- a statement of cash flows; and
- any other statements required by the Australian Accounting Standards; and

(b) Notes to the Financial Statements containing:

- notes required by the Australian Accounting Standards; and
- information required by the Industrial Registrar's *Reporting Guidelines* under section 255 including disclosures related to any recovery of wages activity; and

(c) Committee of Management Statement as required by the Registrar's Reporting Guidelines (a sample certificate for illustrative purposes is at Attachment C) including declarations related to the recovery of wages activity.

2. **Operating Report** - this report includes a review of your reporting unit's principal activities for the year and other specified information.

Your reporting unit must appoint an auditor to audit the GPFR and to provide:

3. an **Auditor's Report**.

### First Meeting (Committee of Management)

For simplicity, we will call the meeting at which the committee of management first considers the GPFR the first meeting. At the first meeting your committee, if satisfied that all is in order, will resolve to express its opinion on the GPFR and complete a Committee of Management Statement.

### **The Auditor**

After the first meeting, the auditor takes the GPFR and the Committee of Management Statement and prepares a report on the GPFR. In practice, your auditor may have already completed most of his or her examination of your accounts. The auditor may only be waiting on the Committee to pass the required resolution and make the Statement before signing the report the same day.

### **Informing Your Members**

Your reporting unit must provide free of charge to the general membership, copies of the GPFR, the Operating Report and the Auditor's Report. RAO calls these the "full report". Under certain circumstances, your reporting unit can provide a more limited *concise report*.

The reporting unit can meet its obligation to provide copies of the full or concise report to members by publishing the report in a journal that is available to the members free of charge.

A reporting unit may meet this obligation in whole or in part by publication of the report in a journal published on a web site on the Internet dependent on:

- a. the extent of the accessibility of the members of the reporting unit to the Internet; and
- b. that the members are notified by the reporting unit in the usual manner in which it communicates with its members that the report has been so published at a specified Internet address.

The report must be provided within 5 or 6 months from the end of the financial year, depending on the internal arrangements of the organisation for the presentation of its financial reports.

### **The Second Meeting - if it is a General Meeting of Members**

After providing the full report to members it must be presented to a general meeting of members. For simplicity this is referred to as the *second meeting*.

Your reporting unit must always allow a minimum of 21 days for members to receive the full report before presenting it to a general meeting of members (s265(5)). The purpose of the interval is to enable the members to have time to consider the report and, if they wish, to attend the second meeting to discuss it.

If the rules of the organisation permit a general meeting to be a series of meetings held at different locations, the full report may be presented to such a series of meetings. In this case the 'date' of the general meeting is taken to be the date of the last meeting in the series (see s266(2)).

### **The Second Meeting - if it is a Committee of Management Meeting**

If the rules of your organisation contain a provision that allows up to 5% of members to demand a general meeting to be held consider the report (see s266(3)), it is permissible to present the report directly to a Committee of Management meeting.

### **Lodge full report within 14 days of meeting**

You must lodge a copy of the full report and any concise report in the Industrial Registry within 14 days of the second meeting. For your convenience you are encouraged to lodge the material electronically (see eFiling Tab at [www.airc.gov.au](http://www.airc.gov.au)).

The Secretary (or another officer appropriately authorised under the rules of the organisation) must *certify* that the full report is a copy of the one provided to members and presented to the second meeting and provide the date of the meeting (a sample certification for illustrative purposes is at *Attachment D*).

When we receive your return we will check that it includes the information you must provide your members and that you have provided it to them correctly.

### **Complying with time limits**

This letter has outlined some of the steps in preparing and lodging your return. Many of the steps must be completed within fixed time limits.

Failure to complete them in time could make your reporting unit or its officers liable to financial or "civil penalties".

### **Extensions of Time**

We appreciate that sometimes circumstances beyond your reporting unit's control may delay completion of a financial return. If you believe your reporting unit is going to be unable to meet a time limit tell us as soon as you know. We can advise you if the step is one for which you may apply under RAO to the Industrial Registrar for extra time to complete. The maximum extra time allowed can be no more than one month.

### **Contact the Registry**

We encourage you to contact the Registry on (02) 8374 6618 or by e-mail at [belinda.penna@air.gov.au](mailto:belinda.penna@air.gov.au) as early as possible if you believe preparation or lodgment of your return will be delayed or if you have any queries. We can offer you advice on procedures but we cannot give you legal or accounting advice.

Yours sincerely

A handwritten signature in black ink, consisting of a stylized 'L' followed by a long horizontal line that curves upwards at the end.

For Deputy Industrial Registrar...  
21 January 2008



**Documents Checklist**

You can use this checklist as soon as possible after the financial year ends to ensure you have all the necessary documents prepared and that those documents contain all information required by RAO.

You can also use this checklist to ensure all documents in your financial return are complete before lodging them in the Registry.

<b>No</b>	<b>Document</b>	<b>✓</b>
<b>1</b>	<b>General Purpose Financial Report</b>	
	Does the report contain a Profit and Loss Statement?	
	Does the report contain a Balance Sheet?	
	Does the report contain a Statement of Cash Flows?	
	Does the report contain notes to the financial statements as required by AAS and the reporting guidelines?	
	Does the report contain all other information required by the reporting guidelines?	
<b>2</b>	<b>Committee of Management Statement</b>	
	Is the statement signed by the officer responsible for undertaking functions necessary to enable the reporting unit to comply with RAO?	
	Is the statement dated?	
	Is the statement in accordance with a resolution of the committee?	
	Does the statement specify the date of the resolution?	
	Does the statement contain declarations required by the reporting guidelines?	
	Does the statement contain declarations relating to any recovery of wages activity?	
<b>3</b>	<b>Auditor's Report</b>	
	Is the Report dated and signed by the auditor?	
	Is the name of the auditor clear?	
	Are the qualifications of the auditor on the report?	
	Has the auditor expressed an opinion on all matters required?	
<b>4</b>	<b>Operating Report</b>	
	Is the report signed and dated?	
	Does the report provide the number of members?	
	Does the report provide the number of employees?	
	Does the report contain a review of principal activities?	
	Does the report give details of significant changes?	
	Does the report give details of right of members to resign?	
	Does the report give details of superannuation trustees?	
	Does the report give details of membership of the committee of management?	
<b>5</b>	<b>Concise report*</b>	
<b>6</b>	<b>Certificate of Secretary or other Authorised Officer</b>	
	Is the certificate signed and dated?	
	Is the signatory the secretary or another officer authorised to sign the certificate?	
	Is the date that the report was provided to members stated?	
	Is the date of the Second Meeting at which the report was presented stated?	
	Does the certificate state that the documents are copies of those provided to members?	
	Does the certificate state that the documents are copies of those presented to the Second Meeting?	

\* This is an optional way of providing documents to members (see RAO s265(3) and RAO Reg. 161).

**Committee Of Management Statement**

On \_\_\_\_/\_\_\_\_/\_\_\_\_ [date of meeting] the Committee of Management of \_\_\_\_\_ [name of reporting unit] passed the following resolution in relation to the general purpose financial report (GPFR) of the reporting unit for the financial year ended \_\_\_\_/\_\_\_\_/\_\_\_\_ [date]:

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 Industrial Registrar;
- (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 that 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 RAO Schedule and the RAO Regulations; 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 a Registrar duly made under section 272 of the RAO Schedule has been\* furnished to the member or Registrar; and
  - #(vi) there has been\* compliance with any order for inspection of financial records made by the Commission under section 273 of the RAO Schedule.

[Add the following if any recovery of wages activity has been undertaken during the financial year]

- (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 Industrial Registrar; and
  - (ii) the committee of management caused the auditor to include in the scope of the audit required under subsection 257(1) of the RAO Schedule 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
  - (iii) no fees or reimbursements of expenses in relation to recovery of wages activity or donations or other contributions were deducted from moneys 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 organization has disclosed to members by way of a written policy all 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 moneys recovered from employers on behalf of workers until distributions of recovered money were made to the workers.

For Committee of Management: \_\_\_\_\_ [*name of designated officer per section 243 of the RAO Schedule*]

Title of Office held:

Signature:

Date:

*\* Where compliance or full compliance has not been attained - set out details of non compliance instead.*

*# Where not relevant these may be modified accordingly (e.g. in (vi) "No orders have been made by the Commission under section 273 of the RAO Schedule during the period."*



**Certificate of Secretary or other Authorised Officer<sup>1</sup>**

s268 of Schedule 1B *Workplace Relations Act 1996*

I *[name]* being the *[title of office]* of the *[name of the organisation]* certify:

- that the documents lodged herewith are copies of the full report, *[and the concise report]<sup>2</sup>*, referred to in s268 of the RAO Schedule; and
- that the *[full report **OR** concise report]<sup>3</sup>*, was provided to members on *[insert date]*; and
- that the full report was presented to *[a general meeting of members **OR** the last of a series of general meetings of members **OR** a meeting of the committee of management]<sup>3</sup>* of the reporting unit on *[insert date]*; in accordance with section 266 of the RAO Schedule.

Signature

Date:

<sup>1</sup>RAO regulation 162 prescribes the designated officer for the purpose of RAO schedule s268 as:

(a) the secretary; or

(b) an officer of the organisation other than the secretary who is authorised by the organisation or by the rules of the organisation to sign the certificate mentioned in that paragraph.

<sup>2</sup>Only applicable where a concise report is provided to members

<sup>3</sup>Insert whichever is applicable



**CFMEU**  
**MINING & ENERGY DIVISION**  
WA DISTRICT BRANCH

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23 May 2008

Deputy Industrial Registrar  
Australian Industrial Registry  
Level 8 Terrace Towers  
80 William Street  
EAST SYDNEY NSW 2011



Dear Sir

**RE: FINANCIAL RETURN – YEAR ENDING 31 DECEMBER 2007**

Please find attached copies of the Financial statements of the Construction Forestry Mining & Energy Union Mining & Energy Division Western Australian District Branch for the year ending 31 December 2007.

Yours sincerely

**G N WOOD**  
**SECRETARY**

# CFMEU Mining & Energy Division

Financial Statements  
For the year ended 31 December 2007

Hodgins Associates

Chartered Accountants

Unit 9 / 45-47 Marlston Drive

BUNBURY 6230

Phone: 97213188 Fax: 97217051

Email: [hodgassoc@iinet.net.au](mailto:hodgassoc@iinet.net.au)

# CFMEU Mining & Energy Division

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**Auditor's Report**

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**Scope**

We have audited the attached financial report, being a special purpose financial report comprising the Statement by Members of the Committee, Statement of Financial Performance, Statement of Financial Position, and Notes to the Financial Statements for the year ended 31 December 2007 of CFMEU Mining & Energy Division. The Committee is responsible for the financial report and has determined that the accounting policies used and described in Note 1 to the financial statements which form part of the financial report are appropriate to meet the requirements of the Associations Incorporations Act, Western Australia and are appropriate to meet the needs of the members. We have conducted an independent audit of this financial report in order to express an opinion on it to the members of CFMEU Mining & Energy Division. No opinion is expressed as to whether the accounting policies used are appropriate to the needs of the members.

The financial statements have been prepared for the purpose of fulfilling the requirements of the Associations Incorporation Act Western Australia. 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 for any purpose other than 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 whether, in all material respects, the financial report is presented fairly in accordance with the accounting policies described in Note 1 so as to present a view which is consistent with our understanding of the association's financial position, and performance as represented by the results of its operations and its cash flows. These policies do not require the application of all Accounting Standards and other mandatory professional reporting requirements in Australia.

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

**Audit opinion**

In our opinion, the financial report presents fairly, in accordance with the accounting policies described in Note 1 to the financial statements, the financial position of CFMEU Mining & Energy Division as at 31 December 2007 and the results of its operations for the year then ended.

Signed on 12 March, 2008:



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Peter Hodgins, Chartered Accountant  
Hodgins Associates  
9 / 45-47 Marlston Dve, Bunbury WA 6230

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**CFMEU Mining & Energy Division**  
**Statement by Members of Committee**  
**For the year ended 31 December 2007**

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The Committee has determined that the association is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

In the opinion of the Committee the Income and Expenditure Statement, Statement of Financial Position, and Notes to the Financial Statements:

1. Presents fairly the financial position of CFMEU Mining & Energy Division as at 31 December 2007 and its performance for the year ended on that date.
2. At the date of this statement, there are reasonable grounds to believe that the association will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the Committee and is signed for and on behalf of the Committee by:



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Leo Strojek  
President



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Gary Wood  
Treasurer

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## CFMEU – MINING & ENERGY DIVISION OF WA

### COMMITTEE OF MANAGEMENT STATEMENT

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On 12<sup>th</sup> December 2008 the Committee of Management of CFMEU – Mining & Energy Division of WA passed the following resolution in relation to the general purpose financial report (GPFR) of the reporting unit for the financial year ended December 31, 2007.

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 Industrial Registrar;
- 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 that 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 RAO Schedule and the RAO Regulations; and
  - (iv) the information sought in any request of a member of the reporting unit or a Registrar duly made under section 272 of the RAO Schedule has been furnished to the member or Registrar; and
  - (v) there has been compliance with any order for inspection of financial records made by the Commission under section 273 of the RAO Schedule.

For Committee of Management: Leo Strojek

Title of Office held: <sup>VICE</sup> President

Signature:



Date: 12<sup>th</sup> March 2008

**CFMEU Mining & Energy Division**  
**Income and Expenditure Statement**  
**For the year ended 31 December 2007**

	2007	2006
	\$	\$
<b>Income</b>		
Fees members	449,754	534,432
Reimbursements	139,350	248,194
Interest received	1,105	38
Sundry income		55,500
Profit / (loss) on sale of assets	(6,236)	
Profit/ (loss) sales merchandise	(677)	1,136
<b>Total income</b>	583,296	839,300
<b>Expenses</b>		
Accountancy & audit fees	3,050	2,980
Affiliation fees - CFMEU National	295,107	302,339
Affiliation fees - Other	1,550	3,025
Advertising and promotion	894	1,012
Bank fees and charges	1,696	1,420
Computer costs	1,660	
Depreciation	10,646	6,387
Donations	3,252	1,048
Expenses Executive	4,288	2,132
Expenses Delegates	2,990	8,298
Freight & Cartage	6	21
Fringe benefits tax	1,535	767
General expenses		1,227
Hire/rent of Plant & Equipment	5,523	4,519
Holiday pay provision	2,405	(2,567)
Insurance	6,239	6,069
Interest	189	822
Legal fees	455	81,772
Long service leave provision	2,915	2,568
Meeting costs	2,073	3,399
Motor vehicle expenses	14,453	11,673
Penalties & charges	660	1,100
Publications & subscriptions		532
Postage, Printing, & Stationery	3,556	4,985
Rent on land & buildings	3,273	10,145

The accompanying notes form part of these financial statements.



**CFMEU Mining & Energy Division**  
**Income and Expenditure Statement**  
**For the year ended 31 December 2007**

	2007 \$	2006 \$
Repairs & maintenance		1,196
Salaries & wages staff	153,334	144,951
Sick leave provision	13,501	23,266
Staff training	11,995	8,848
Superannuation	13,035	12,626
Telephone	11,728	10,370
Travel and accomodation	30,606	39,257
Total expenses	<u>602,613</u>	<u>696,186</u>
<b>Profit (loss) from ordinary activities before income tax</b>	<b>(19,317)</b>	<b>143,114</b>
Income tax revenue relating to ordinary activities		
<b>Net profit (loss) attributable to the association</b>	<b>(19,317)</b>	<b>143,114</b>
<b>Total changes in equity of the association</b>	<b>(19,317)</b>	<b>143,114</b>
Opening retained profits	(102,550)	(245,664)
Net profit (loss) attributable to the association	<u>(19,317)</u>	<u>143,114</u>
<b>Closing retained profits</b>	<b>(121,867)</b>	<b>(102,550)</b>

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The accompanying notes form part of these financial statements.

**CFMEU Mining & Energy Division**  
**Detailed Statement of Financial Position As At 31 December 2007**

	2007	2006
	\$	\$
<b>Current Assets</b>		
<b>Cash Assets</b>		
Cash at bank - Collie	47,581	46,941
Leave account	74,494	55,000
Cash on hand	279	279
Commonwealth Bank Mastercard	4,000	4,000
	126,354	106,220
<b>Receivables</b>		
Amounts receivable	41,544	46,330
	41,544	46,330
<b>Total Current Assets</b>	<b>167,897</b>	<b>152,550</b>
<b>Non-Current Assets</b>		
<b>Property, Plant and Equipment</b>		
Plant & equipment - at cost	29,444	29,444
Less: Accumulated depreciation	(27,504)	(26,703)
Motor vehicles - at cost	37,517	35,242
Less: Accumulated depreciation	(7,908)	(12,524)
	31,549	25,459
<b>Total Non-Current Assets</b>	<b>31,549</b>	<b>25,459</b>
<b>Total Assets</b>	<b>199,446</b>	<b>178,008</b>

The accompanying notes form part of these financial statements.

**CFMEU Mining & Energy Division**  
**Detailed Statement of Financial Position As At 31 December 2007**

	2007	2006
	\$	\$
<b>Current Liabilities</b>		
<b>Payables</b>		
<b>Unsecured:</b>		
Amounts payable	17,960	16,137
	17,960	16,137
<b>Current Tax Liabilities</b>		
GST payable control account	19,994	10,752
GST payable adjustment control account		12,459
Input tax credit control account	(11,162)	(5,552)
Input tax credit adjustment account	(2,516)	
ATO Integrated Account Balance		466
Payroll Deductions Payable	3,086	4,418
	9,402	22,543
<b>Provisions</b>		
Provision for Employee Entitlements	221,558	202,737
	221,558	202,737
<b>Total Current Liabilities</b>	<b>248,920</b>	<b>241,417</b>
<b>Non-Current Liabilities</b>		
<b>Financial Liabilities</b>		
<b>Secured:</b>		
Loan GE Money	37,452	
Unexpired interest charges	(4,201)	
	33,252	
<b>Total Non-Current Liabilities</b>	<b>33,252</b>	
<b>Total Liabilities</b>	<b>282,171</b>	<b>241,417</b>
<b>Net Assets (Liabilities)</b>	<b>(82,726)</b>	<b>(63,408)</b>

The accompanying notes form part of these financial statements.

**CFMEU Mining & Energy Division**  
**Detailed Statement of Financial Position As At 31 December 2007**

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	2007	2006
	\$	\$
<b>Members' Funds</b>		
<b>Issued Capital</b>		
Members funds	39,142	39,142
Accumulated surplus (deficit)	(121,867)	(102,550)
<b>Total Members' Funds</b>	<u>(82,726)</u>	<u>(63,408)</u>

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The accompanying notes form part of these financial statements.

**CFMEU Mining & Energy Division**  
**Cash Flow Statement**  
**For the year ended 31 December 2007**

	2007	2006
	\$	\$
<hr/>		
<b>Cash Flow From Operating Activities</b>		
Receipts from customers	593,213	849,841
Payments to Suppliers and employees	(584,275)	(781,309)
Interest received	1,105	38
Interest and other costs of finance	(189)	(822)
Net cash provided by (used in) operating activities (note 2)	9,854	67,749
 <b>Cash Flow From Financing Activities</b>		
Proceeds of borrowings	33,252	
Net cash provided by (used in) financing activities	33,252	
 Net increase (decrease) in cash held	20,134	67,749
 Cash at the beginning of the year	106,220	38,471
Cash at the end of the year (note 1)	126,354	106,220

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The accompanying notes form part of these financial statements.

**CFMEU Mining & Energy Division**  
**Cash Flow Statement**  
**For the year ended 31 December 2007**

2007

2006

**Note 1. Reconciliation Of Cash**

For the purposes of the statement of cash flows, cash includes cash on hand and in banks and investments in money market instruments, net of outstanding bank overdrafts.

Cash at the end of the year as shown in the statement of cash flows is reconciled to the related items in the balance sheet as follows:

Cash at bank - Collie	47,581	46,941
Leave account	74,494	55,000
Cash on hand	279	279
Commonwealth Bank Mastercard	4,000	4,000
	126,354	106,220
	126,354	106,220

**Note 2. Reconciliation Of Net Cash Provided By/Used In Operating Activities To Operating Profit After Income Tax**

Operating profit after income tax	(19,317)	143,114
Depreciation	10,646	6,387
(Profit) / Loss on sale of property, plant and equipment	6,236	
Changes in assets and liabilities net of effects of purchases and disposals of controlled entities:		
(Increase) decrease in trade and term debtors	4,786	10,579
Increase (decrease) in trade creditors and accruals	1,823	(58,251)
Increase (decrease) in lease liabilities		(59,962)
Increase (decrease) in employee entitlements	18,821	23,267
Increase (decrease) in sundry provisions	(13,141)	2,614
<b>Net cash provided by operating activities</b>	<b>9,854</b>	<b>67,749</b>
	<b>9,854</b>	<b>67,749</b>

**CFMEU Mining & Energy Division**  
**Depreciation Schedule for the year ended 31 December, 2007**

	Total	Priv	OWDV	DISPOSAL		ADDITION		DEPRECIATION			Priv	CWDV	PROFIT		LOSS		
				Date	Consid	Date	Cost	Value	T	Rate			Deprec	Upto	+	Above	Total
<b>Plant &amp; Equipment</b>																	
Laser Printer	915.00	915	0.00	5		0	0	5	D	40.00	2	0	3	0	0	0	0
Mobile Telephone	731.00	731	0.00	20		0	0	20	D	30.00	6	0	14	0	0	0	0
Computer System	8,579.00	8,579	0.00	54		0	0	54	D	40.00	22	0	32	0	0	0	0
Mobile Telephone	695.00	695	0.00	20		0	0	20	D	30.00	6	0	14	0	0	0	0
Mobile Telephone (0418699227)	268.00	268	0.00	8		0	0	8	D	30.00	2	0	6	0	0	0	0
Facsimile Machine	649.00	649	0.00	20		0	0	20	D	30.00	6	0	14	0	0	0	0
IBM 3197/DIY Computer Terminal	550.00	550	0.00	5		0	0	5	D	40.00	2	0	3	0	0	0	0
Computer System	5,411.00	5,411	0.00	91		0	0	91	D	40.00	36	0	55	0	0	0	0
Refridgerator	549.00	549	0.00	56		0	0	56	D	25.00	14	0	42	0	0	0	0
Fax Machine	599.00	599	0.00	37		0	0	37	D	30.00	11	0	26	0	0	0	0
Laminator	315.00	315	0.00	22		0	0	22	D	30.00	7	0	15	0	0	0	0
Printer	681.00 10/05/01	681	0.00	92		0	0	92	D	30.00	28	0	64	0	0	0	0
Laptop Computer	3,300.00 04/02/02	3,300	0.00	577		0	0	577	D	30.00	173	0	404	0	0	0	0
Fax Machine	959.00 08/07/02	959	0.00	197		0	0	197	D	30.00	59	0	138	0	0	0	0
Computer	2,599.00 23/12/02	2,599	0.00	620		0	0	620	D	30.00	186	0	434	0	0	0	0
Telephone System	0.00	2,390	0.00	838		0	0	838	D	25.00	209	0	629	0	0	0	0
Color Printer	0.00	254	0.00	79		0	0	79	D	40.00	32	0	47	0	0	0	0
		<u>29,444</u>		<u>2,741</u>		<u>0</u>		<u>0</u>	<u>2,741</u>		<u>801</u>	<u>0</u>	<u>1,940</u>				
									Deduct Private Portion		<u>0</u>						
									Net Depreciation		<u>801</u>						
<b>Motor Vehicles</b>																	
Holden Commodore	0.00	35,240	0.00	22,716	15/06/07	14,545	0	22,716	D	18.75	1,937	0	0	0	0	6,234	0
2006 VE Commodore 1CHA317	37,510.00 24/01/07	37,510	0.00	0		0 24/01/07	37,510	37,510	D	22.50	7,908	0	29,602	0	0	0	0
		<u>72,750</u>		<u>22,716</u>		<u>14,545</u>		<u>37,510</u>	<u>60,226</u>		<u>9,845</u>	<u>0</u>	<u>29,602</u>				
									Deduct Private Portion		<u>0</u>						
									Net Depreciation		<u>9,845</u>						

**CFMEU Mining & Energy Division**  
**Notes to the Financial Statements**  
**For the year ended 31 December 2007**

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**Note 1: Statement of Significant Accounting Policies**

This financial report is a special purpose financial report prepared in order to satisfy the financial reporting requirements of the Associations Incorporations Act. The committee has determined that the association is not a reporting entity.

The report has been prepared in accordance with the requirements of the Associations Incorporation Act and the following Australian Accounting Standards:

AASB 1031:      Materiality  
AASB 110:      Events after the Balance Sheet Date

The financial report has been prepared on an accruals basis and is based on historic costs and does not take into account changing money values, or except where specifically stated, current valuations of non-current assets.

**(b) Fixed Assets**

The depreciable amount of all fixed assets are depreciated over the useful lives of the assets to the association commencing from the time the asset is held ready for use. Leasehold improvements are amortised over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements.

**(c) Going Concern Basis**

The Committee of Management are of the opinion that the entity has the ability to continue as a going concern although it has a deficiency of assets. It has this opinion because of present operating conditions and the ongoing support of its main creditors, being its employees in respect of their employee leave entitlements.

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**Australian Government**  
**Australian Industrial Registry**

Level 8, Terrace Towers  
80 William Street, East Sydney, NSW 2011  
Telephone: (02) 8374 6666  
Fax: (02) 9380 6990  
Email: sydney@air.gov.au

Mr Gary Wood  
Secretary, WA District Branch, Mining and Energy Division  
CFMEU  
75 Throssell Street  
COLLIE WA 6225

Dear Mr Wood

**Re: Lodgement of Financial Statements and Accounts – Construction, Forestry, Mining and Energy Union, Mining and Energy Division, Western Australian District Branch – for years ending  
31 December 2004, (FR2004/713), 31 December 2005 (FR2005/599),  
31 December 2006 (FR2006/599), 31 December 2007 (FR2007/570)**

I refer to the above sets of financial statements and accounts which have been under consideration by the Registry. In the normal course of events, the Registry would have corresponded with you regarding the earlier returns much sooner and I sincerely apologise on behalf of the Registry for the delay. There are however several issues arising from the returns on which I seek your response and I outline them together in this letter.

**Missing Documents and information**

- (1) None of the returns included an Operating Report as required by s254 of the RAO Schedule. If Operating Reports were prepared please lodge these. If not, I seek your confirmation that an Operating Report will be prepared for inclusion in future financial reports.
- (2) None of the returns included the notice, setting out subsections 272(1), (2) and (3) in full, as required under s272(5) of the RAO Schedule. I seek your confirmation that the notice will be set out in future returns.
- (3) The 2007 return did not include a Secretary's Certificate as required by s268 of the RAO Schedule. I ask that you lodge a Secretary's certificate in relation to the 2007 return.

**Presentation to meetings of the Lodges and Board of management**

In the first three returns, the Secretary's certificates certify that the reports were presented to the "*Committee of Management.....in accordance with section 266*".

Section 266(3) is explicit that reports must be presented to general meetings of members, except where the rules provide that a percentage of the membership up to 5% can call a general meeting (or series of meetings) to consider the financial report. The District Branch does not have such a rule.

However, given that under the rules of the District Branch, all decisions of the Board of Management must be endorsed by the Lodge membership, it seems to the Registry that it is endorsement of the financial report by the Lodge membership in general Lodge meetings that

will constitute "presentation" for the purposes of s266. Accordingly, once the documents have been provided/published to the membership at large, any presentation to the Board of Management should be routinely followed by presentation at Lodge meetings.

It is the Secretary's certificate that indicates to the Registry that the Branch has complied. Strictly speaking, the Secretary's certificate has to certify only in general terms that the report was presented "to a meeting in accordance with s266", and the Registry will accept this on its face. If, however, the Secretary's certificate specifies the type of meeting, then, under the present circumstances, it must specify/refer to the relevant Lodge meetings.

### **Description as Special Purpose Financial Report**

In the Notes to all the returns, the Branch describes the report as a "*special purpose financial report prepared in order to satisfy the financial reporting requirements of the Associations Incorporations Act*". In the auditor's report for both the 2006 and 2007 returns, the auditor has also described the report as a "special purpose financial report".

This conflicts with the reference to "general purpose financial report" which is found in the opening paragraph of the Committee of Management statements, and it is incorrect for the purposes of the RAO Schedule.

Pursuant to s242(3) the Branch is a reporting unit for the purposes of the RAO Schedule and is obliged under s253(1) to prepare a general purpose financial report. Section 253(2) sets out what the general purpose financial report must contain and it is not clear to the Registry - on the face of the documents - what, if anything, is preventing the Branch from preparing general purpose financial reports. The Branch must take steps to ensure that its financial reports meet the requirements of the Workplace Relations legislation irrespective of any other obligations it might have under State or other legislation.

Accordingly, I seek your confirmation that the Branch will prepare correctly described general purpose financial reports for lodgement in the Industrial Registry in future.

Thank you for your attention to these matters. I will await your reply before filing the documents. If you wish to discuss any of the above matters before replying, please do not hesitate to contact me on (02) 6723 7097, or 0429 462 979.

Yours sincerely,



Stephen Kellett  
for Deputy Industrial Registrar

10 June 2008



**CFMEU**  
**MINING & ENERGY DIVISION**  
WA DISTRICT BRANCH



23 June 2008

Mr S Kellett for Deputy Industrial Registrar  
Australian Industrial Registry  
Level 8 Terrace Towers  
80 William Street  
EAST SYDNEY NSW 2011

Dear Sir

**RE: LODGEMENT OF FINANCIAL STATEMENTS AND ACCOUNTS – CFMEU MINING & ENERGY DIVISION, WESTERN AUSTRALIAN DISTRICT BRANCH**

Thank you for your letter of 10 June 2008 in regard to the above bringing to our attention issues arising from the returns and I hereby provide the following responses as requested:

**Missing Documents and information**

1. Operating Report. I confirm that an Operating Report will be prepared and included in future financial reports.
2. Notice setting out subsections 272(1), (2) and (3) in full as required under s272(5) of the RAO Schedule – I confirm that the notice will be set out in future returns.
3. 2007 return Secretary's Certificate – the Certificate was mistakenly omitted from the return sent. It is now attached.

**Presentation to meetings of the Lodges and Board of Management.**

We note this point and confirm that future returns will comply accordingly.

**Description as Special Purpose Financial Report**

I confirm that the Branch will prepare correctly described general purpose financial reports for lodgement in the future.

I apologise for the oversight with previous returns and thank you for bringing these matters to my attention.

Yours sincerely

**G N WOOD**  
SECRETARY



*Mineworkers Institute*  
75 Throssell Street  
COLLIE WA 6225

Phone: (08) 97345600  
Fax: (08) 97341898  
E-mail: [cfmeumwa@highway1.com.au](mailto:cfmeumwa@highway1.com.au)

**CFMEU – MINING & ENERGY DIVISION OF WA**

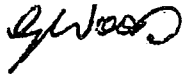
**Certificate of Secretary or other Authorised Officer**

S268 of Schedule 1B *Workplace Relations Act 1996*

I, Gary Wood, Secretary of the CFMEU – Mining & Energy Division of WA certify:

- that the documents lodge herewith are copies of the full report, referred to in S268 of the RAO Schedule; and
- that the full report was provided to members on 9 April 2008; and
- that the full report was presented to a meeting of the Committee of Management members of the reporting unit on 15 May 2008 in accordance with section 266 of the RAO Schedule.

Signature:



Date: 16 May 2008



**Australian Government**  
**Australian Industrial Registry**

Level 8, Terrace Towers  
80 William Street, East Sydney, NSW 2011  
Telephone: (02) 8374 6666  
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Email: sydney@air.gov.au

Mr Gary Wood  
Secretary, WA District Branch, Mining and Energy Division  
CFMEU  
75 Throssell Street  
COLLIE WA 6225



Dear Mr Wood

**Re: Lodgement of Financial Statements and Accounts – Construction, Forestry, Mining  
and Energy Union, Mining and Energy Division, Western Australian District Branch –  
for years ending  
31 December 2004, (FR2004/713), 31 December 2005 (FR2005/599),  
31 December 2006 (FR2006/599), 31 December 2007 (FR2007/570)**

Thank you for your letter dated 23 June 2008 in relation to the various issues raised in my letter of 10 June 2008.

I have filed the Secretary's certificate for the 2007 return and have noted your undertakings with respect to future returns.

The documents have now been filed, and no further action is required.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Stephen Kellett', written over a light blue horizontal line.

Stephen Kellett  
for Deputy Industrial Registrar

30 June 2008