



FAIR WORK  
AUSTRALIA

15 June 2010

Mr Gary Wood  
Secretary, Western Australia District Branch, Mining and Energy Division  
Construction, Forestry, Mining and Energy Union  
75 Throssell Street  
COLLIE WA 6225



Dear Mr Wood

**Re: Lodgement of Financial Accounts and Statements –  
Construction, Forestry, Mining and Energy Union, Western Australia District Branch -  
for year ending 31 December 2008 (FR2008/554)**

I refer to the abovementioned financial return which was lodged with Fair Work Australia on 3 June 2008.

I noted that the Auditor had qualified his Audit Opinion due to his view that given a deficiency of assets the Going Concern assumption was not appropriate.

After consulting the Auditor on the matter and obtaining his further advice, I have filed the documents and there is no further action required in respect of the above return.

Yours respectfully,

Stephen Kellett  
Statutory Services Branch



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

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6 May 2010

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 2008**

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 2008.

Yours sincerely

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



## CFMEU Mining & Energy Division

Financial Statements  
For the year ended 31 December 2008



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 OF WA  
FINANCIAL REPORTS FOR YEAR ENDED 31 DECEMBER 2008**

**Certificate of Secretary or other Authorised Officer**

S268 of Schedule 1B *Workplace Relations Act 1996*

I, Gary Norman Wood being the 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 *Fair Work (Registered Organisations) Act 2009*; and
- that the full report was provided to members on 30 November 2009; and
- that the full report was presented to a meeting on 21 December 2009 in accordance with section 266 of the *Fair Work (Registered Organisations) Act 2009*.

Signature:



Date: 30 December 2009

# CFMEU – MINING & ENERGY DIVISION OF WA FINANCIAL REPORTS FOR YEAR ENDED 31 DECEMBER 2008

## OPERATING REPORT

The Operating Report for the CFMEU – Mining & Energy Division WA District for the year ended 31 December 2008;

### Principal Activities

The principal activities of the Union during the year were;

- Adherence to the rules of the District in furtherance of the objects of the Union consistent with the industrial relations legislation
- Implementation of the decisions of the District Executive and Committee of Management
- Implementation of the Union's organising agenda, including assistance and advice on organising site projects, the training and development of officials and planning and resourcing campaigns.
- Industrial support including assistance with legal and legislative matters.
- The administration and variation of federal and state awards.
- Negotiation and registration of certified industrial instruments on behalf of members consistent with the objects of the Workplace Relations Act and the Union rules.
- Media and other communication to members and the broader local communities of the District on issues affecting the rank and file.
- Monitoring and improving the health and safety of members.

### Significant changes in Financial Affairs

During the financial year ending 31 December 2008 there has been an increase in Members fees of 14.8%.

### Rights of members to resign

All members of the Union have the right to resign from the Union in accordance with Rule 5(iv) of the Union Rules, by providing written notice addressed and delivered to the Lodge Secretary.

### Membership of the Union

There were 922 members as at 31 December 2008.

### Employees of the Union

As at 31 December 2008 the Union employed 2 full time employees.

### Committee of Management

Gary Wood	District Secretary	1 January 2008 to 31 December 2008
Warren Johncock	District President	1 January 2008 to 31 December 2008
Leon Strojek	District Vice President	1 January 2008 to 31 December 2008
Shane Thomas	District Vice President	1 January 2008 to 30 June 2008
Brett Harris	District Vice President	1 July 2008 to 31 December 2008
Chris Curran	Board of Management	1 January 2008 to 31 December 2008
Steven Flynn	Board of Management	1 January 2008 to 31 December 2008
Dempsey Whakaruru	Board of Management	1 January 2008 to 30 June 2008
Darren Cosgrove	Board of Management	1 July 2008 to 31 December 2008
Dennis Jones	Board of Management	1 July 2008 to 31 December 2008

Signature:



Date: 30 December 2009

## CFMEU – MINING & ENERGY DIVISION OF WA

### COMMITTEE OF MANAGEMENT STATEMENT

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On 27<sup>th</sup> November 2009 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 2008.

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

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

Signature:



Date: 27<sup>th</sup> November 2009

25 November 2009



**INDEPENDENT AUDITORS' REPORT TO MEMBERS**

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

**Peter R. Hodgins A.C.A.**

Unit 9 / 45-47 Marlston Drive  
P.O. Box 1934 Bunbury W.A. 6231  
Ph 9721 3188 Fax 9721 7051  
hodgassoc@inet.net.au

Scope

We have audited the financial statements comprising the Income and Expenditure Account, Balance Sheet, Statement of Cash Flows and notes to and forming part of the financial statements of the Construction Forestry Mining and Energy Union - Mining and Energy Division of Western Australia ("the Union") for the year ended 31 December 2008. The Union's Board of Management is responsible for the preparation and presentation of the financial statements and the information they contain. We have conducted an independent audit of these financial statements in order to express an opinion on them to the members of the Union.

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

Qualification

Note 6 discusses a number of matters that may affect the ability of the entity to continue as a going concern including a deficiency of assets. The Committee of Management consider that the going concern basis used in the preparation of the financial statements is appropriate because of a return to profitability and the ongoing support of the national body, creditors and employees. In our opinion there is doubt about the going concern basis of the entity because of the deficiency and low profit and we believe that the going concern basis should not be used.

Had the going concern basis not been used, adjustments would need to be made relating to the recoverability and classification of recorded asset amounts, or to the amounts and classification of liabilities, to reflect the fact that the CFMEU – Mining & Energy Division of WA may be required to realise its assets and extinguish its liabilities other than in the normal course of business, and at amounts different from those stated in the financial report.

Qualified Audit Opinion

In our opinion:

because of the matter referred to in the qualification paragraph, the financial report does not present fairly in accordance with applicable Accounting Standards and other mandatory professional reporting requirements and any other requirements imposed by these Reporting Guidelines or Part 3 of Chapter 8 of the RAO Schedule, the financial position of CFMEU – Mining & Energy Division of WA as at 31<sup>st</sup> December 2008 and the results of its operations and its cash flow for the year then ended.

**HODGINS ASSOCIATES**

CHARTERED ACCOUNTANTS

P R Hodgins

**CFMEU Mining & Energy Division**  
**Income and Expenditure Statement**  
**For the year ended 31 December 2008**

	2008	2007
	\$	\$
<b>Income</b>		
Fees members	516,467	449,754
Reimbursements	22,750	139,350
Interest received	1,837	1,105
Profit / (loss) on sale of assets		(6,236)
Profit/ (loss) sales merchandise	(153)	(677)
Total income	<u>540,902</u>	<u>583,296</u>
<b>Expenses</b>		
Accountancy & audit fees	3,220	3,050
Affiliation fees - CFMEU National	180,486	295,107
Affiliation fees - Other	4,064	1,550
Advertising and promotion	6,633	894
Bank fees and charges	1,766	1,696
Computer costs	1,107	1,660
Depreciation	8,132	10,646
Donations	12,244	3,252
Expenses Executive	2,672	4,288
Expenses Delegates	1,733	2,990
Freight & Cartage	312	6
Fringe benefits tax		1,535
Hire/rent of Plant & Equipment	7,849	5,523
Holiday pay provision	3,913	2,405
Insurance	10,011	6,239
Interest	2,834	189
Legal fees	2,714	455
Long service leave provision	2,816	2,915
Meeting costs	2,816	2,073
Motor vehicle expenses	14,162	14,453
Penalties & charges	1,320	660
Postage, Printing, & Stationery	6,702	3,556
Rent on land & buildings	3,273	3,273
Repairs & maintenance	270	
Salaries & wages staff	164,638	153,334
Sick leave provision	5,415	13,501

The accompanying notes form part of these financial statements.



**CFMEU Mining & Energy Division**  
**Income and Expenditure Statement**  
**For the year ended 31 December 2008**

	2008 \$	2007 \$
Staff training		11,995
Superannuation	13,086	13,035
Telephone	10,915	11,728
Travel and accomodation	36,825	30,606
Total expenses	511,928	602,613
<b>Profit from ordinary activities before income tax</b>	<b>28,973</b>	<b>(19,317)</b>
Income tax revenue relating to ordinary activities		
<b>Net profit attributable to the association</b>	<b>28,973</b>	<b>(19,317)</b>
<b>Total changes in equity of the association</b>	<b>28,973</b>	<b>(19,317)</b>
Opening retained profits	(121,867)	(102,550)
Net profit attributable to the association	28,973	(19,317)
<b>Closing retained profits</b>	<b>(92,894)</b>	<b>(121,867)</b>

The accompanying notes form part of these financial statements.

**CFMEU Mining & Energy Division**  
**Detailed Statement of Financial Position As At 31 December 2008**

	<b>2008</b>	<b>2007</b>
	\$	\$
<b>Current Assets</b>		
<b>Cash Assets</b>		
Cash at bank - Collie	49,051	47,581
Leave account	76,302	74,494
Cash on hand	279	279
Commonwealth Bank Mastercard	4,000	4,000
	129,632	126,354
<b>Receivables</b>		
Amounts receivable	61,902	41,544
	61,902	41,544
<b>Total Current Assets</b>	<b>191,534</b>	<b>167,897</b>
<b>Non-Current Assets</b>		
<b>Property, Plant and Equipment</b>		
Plant & equipment - at cost	34,442	29,444
Less: Accumulated depreciation	(28,976)	(27,504)
Motor vehicles - at cost	37,517	37,517
Less: Accumulated depreciation	(14,568)	(7,908)
	28,415	31,549
<b>Total Non-Current Assets</b>	<b>28,415</b>	<b>31,549</b>
<b>Total Assets</b>	<b>219,950</b>	<b>199,446</b>

The accompanying notes form part of these financial statements.

**CFMEU Mining & Energy Division**  
**Detailed Statement of Financial Position As At 31 December 2008**

	<b>2008</b>	<b>2007</b>
	\$	\$
<b>Current Liabilities</b>		
<b>Payables</b>		
<b>Unsecured:</b>		
Amounts payable	5,491	17,960
	5,491	17,960
<b>Current Tax Liabilities</b>		
GST payable control account	25,729	19,994
Input tax credit control account	(15,940)	(11,162)
Input tax credit adjustment account	(2,516)	(2,516)
Amounts withheld from salary and wages	3,160	3,086
	10,433	9,402
<b>Provisions</b>		
Provision for Employee Entitlements	233,702	221,558
	233,702	221,558
<b>Total Current Liabilities</b>	<b>249,626</b>	<b>248,920</b>
<b>Non-Current Liabilities</b>		
<b>Financial Liabilities</b>		
<b>Secured:</b>		
Loan GE Money	25,807	37,452
Unexpired interest charges	(1,731)	(4,201)
	24,076	33,252
<b>Total Non-Current Liabilities</b>	<b>24,076</b>	<b>33,252</b>
<b>Total Liabilities</b>	<b>273,702</b>	<b>282,171</b>
<b>Net Assets (Liabilities)</b>	<b>(53,752)</b>	<b>(82,726)</b>

The accompanying notes form part of these financial statements.

**CFMEU Mining & Energy Division**  
**Detailed Statement of Financial Position As At 31 December 2008**

	2008	2007
	\$	\$
<hr/>		
<b>Members' Funds</b>		
<b>Issued Capital</b>		
Members funds	39,142	39,142
Accumulated surplus (deficit)	<u>(92,894)</u>	<u>(121,867)</u>
<b>Total Members' Funds</b>	<u><u>(53,752)</u></u>	<u><u>(82,726)</u></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 2008**

	<b>2008</b>	<b>2007</b>
	\$	\$
<hr/>		
<b>Cash Flow From Operating Activities</b>		
Receipts from customers	518,706	593,213
Payments to Suppliers and employees	(500,256)	(584,275)
Interest received	1,837	1,105
Interest and other costs of finance	(2,834)	(189)
Net cash provided by (used in) operating activities (note 2)	17,453	9,854
 <b>Cash Flow From Financing Activities</b>		
Proceeds of borrowings		33,252
Repayment of borrowings	(9,176)	
Net cash provided by (used in) financing activities	(9,176)	33,252
 Net increase (decrease) in cash held	3,278	20,134
 Cash at the beginning of the year	126,354	106,220
Cash at the end of the year (note 1)	129,632	126,354

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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 2008

2008

2007

### 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	49,051	47,581
Leave account	76,302	74,494
Cash on hand	279	279
Commonwealth Bank Mastercard	4,000	4,000
	<u>129,632</u>	<u>126,354</u>
	<u>(4,999)</u>	<u>(22,972)</u>

### Note 2. Reconciliation Of Net Cash Provided By/Used In Operating Activities To Net Profit

Operating profit (loss) after tax	28,973	(19,317)
Depreciation	8,132	10,646
(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	(20,358)	4,786
Increase (decrease) in trade creditors and accruals	(12,469)	1,823
Increase (decrease) in employee entitlements	12,144	18,821
Increase (decrease) in sundry provisions	1,031	(13,141)
<b>Net cash provided by operating activities</b>	<u><b>17,453</b></u>	<u><b>9,854</b></u>

The accompanying notes form part of these financial statements.



**CFMEU Mining & Energy Division**  
**Depreciation Schedule for the year ended 31 December, 2008**

	Total	Priv	OWDV	DISPOSAL		ADDITION		DEPRECIATION			Priv	CWDV	PROFIT			LOSS				
				Date	Consid	Date	Cost	Value	T	Rate			Deprec	Upto	+	Above	Total	-	Priv	
<b>Motor Vehicles</b>																				
2006 VE Commodore 1CHA317	37,510.00		24/01/07	37,510	0.00	29,602		0		0	29,602	D	22.50	6,660	0	22,942	0	0	0	0
	<u>37,510</u>			<u>29,602</u>		<u>0</u>		<u>0</u>	<u>29,602</u>				<u>6,660</u>	<u>0</u>	<u>22,942</u>					
									Deduct Private Portion					<u>0</u>						
									Net Depreciation					<u>6,660</u>						

The accompanying notes form part of these financial statements.



**CFMEU Mining & Energy Division**  
**Notes to the Financial Statements**  
**For the year ended 31 December 2008**

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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.

**(a) 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.

**b) 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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FAIR WORK  
AUSTRALIA

16 April 2010

Mr Gary Wood  
Secretary, Western Australia District Branch, Mining and Energy Division  
Construction, Forestry, Mining and Energy Union  
75 Throssell Street  
COLLIE WA 6225



Dear Mr Wood

**Re: Lodgement of Financial Accounts and Statements –  
Construction, Forestry, Mining and Energy Union, Western Australia District Branch -  
for year ending 31 December 2008 (FR2008/554)**

The abovementioned financial return is outstanding and substantially overdue. There is no record of its lodgement.

I would appreciate it if you could lodge the return without further delay, or advise its status and when you anticipate lodging it.

The Branch's return for the year ending 31 December 2009 will also become due in a couple of months and so the lodgement of the previous year's return should be considered a matter of importance and urgency.

You may email your advice to me directly at [stephen.kellett@fwa.gov.au](mailto:stephen.kellett@fwa.gov.au). I await your advice and look forward to the lodgements.

Yours respectfully,

Stephen Kellett  
Statutory Services Branch

12 January 2010

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



Fair Work  
Australia



Dear Mr Wood

**Lodgment of Financial Statements and Accounts –  
Western Australia District Branch, Mining & Energy Division - for year ended 31 December 2008  
(FR2008/554)**

This is a reminder letter about the above financial return which remains outstanding and overdue for lodgment in accordance with the *Fair Work (Registered Organisations) Act 2009* ('the RO Act').

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(s)* (either of the members or of the committee, whichever applies). Note that this meeting (or series of meetings) 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>.

The documents should be lodged without further delay. If you are having difficulty in complying with the requirements, please advise Fair Work Australia of the circumstances.

Yours sincerely,

Stephen Kellett  
Statutory Services Branch

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

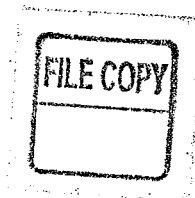
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**Australian Government**  
**Australian Industrial Registry**

13 January 2009

Mr Gary Wood  
Secretary, Western Australia District Branch (Mining and Energy Division)  
Construction, Forestry, Mining and Energy Union  
75 Throssell Street  
COLLIE WA 6625



Dear Mr Wood

**Lodgement of Financial Statements and Accounts – Western Australia District Branch -  
Schedule 1 of *Workplace Relations Act 1996* (RAO Schedule) -  
for year ended 31 December 2008 (FR2008/554)**

The financial year of the Western Australia District Branch of the Mining and Energy Division of the Construction, Forestry, Mining and Energy Union has recently ended. This is a courtesy letter to remind the Branch of the obligations imposed by the RAO Schedule regarding the preparation of financial accounts and statements.

I direct your attention to our website <http://www.airc.gov.au/registered/FR/information.htm> where relevant detailed information may be found. This includes Fact sheets (Sheet 6 – *Accounting, Auditing and Reporting Obligations*; Sheet 7 – *Information Needs of Members*; Sheet 8 – *Financial Reporting Process and Time Limits*; Sheet 9 – *Diagrammatic Summary of Financial Reporting Process and Time Limits*; and Sheet 10 – *Auditors*), Sample Documents (a sample Committee of Management Statement and Designated Officer's Certificate); the RAO Schedule and RAO Regulations; and Registrar's Reporting Guidelines (setting out requirements that must be met in addition to those required by Australian Accounting Standards)

The nominal time frame for completing the audit, presentation and lodgment of the Branch's return will expire - unless a one month extension under s265(5) is granted - on 14 July 2009.

The Registry strongly encourages you to lodge documents electronically by sending an email with the documents attached to [orgs@airc.gov.au](mailto:orgs@airc.gov.au). Alternatively, you may wish to send the documents by fax to (02) 9380 6990.

If you need any further information or assistance or if you do not believe that the documents will be lodged within the timeframe specified please contact me on 0429 462 979 or by email at [stephen.kellett@airc.gov.au](mailto:stephen.kellett@airc.gov.au).

Yours sincerely,

Stephen Kellett  
Statutory Services Branch