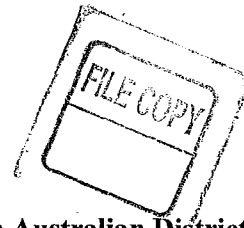




FAIR WORK
AUSTRALIA

16 May 2012

Mr Gary Wood
Secretary, Western Australian District Branch, Mining Division
CFMEU
75 Throssell Street
COLLIE WA 6625



Dear Mr Wood

**Re: Lodgement of Financial Statements and Accounts – Western Australian District (Mining Divisional) Branch – for year ending 31 December 2009 (FR2009/10230),
31 December 2010 (FR2010/2832)**

I refer to your letter dated 11 May 2012 providing undertakings in relation to the compliance issues I identified in my earlier letter of 20 February 2012. Your letter was received by Fair Work Australia on 11 May 2012. Future reports will be expected to reflect all the relevant legislative provisions, including the correct form of the Notice under s272, which must set out the wording of subsections 272(1), (2) and (3).

I also refer to the amended Auditor's reports and Notes statements for the above returns which the Auditor forwarded to me today.

The documents have now been filed.

Yours sincerely,

Stephen Kellett

Organisations, Research and Advice Branch

cc. Mr Peter Hodgins A.C.A.

CFMEU Mining & Energy Division

Independent Auditor's Report to the Members

Report on the Financial Report

We have audited the accompanying financial report of CFMEU Mining & Energy Division, a general purpose financial report prepared under Section 253 of the Fair Work (Registered Organisation) Act 2009 or its predecessor, Schedule 1 of the Workplace Relations Act 1996 ('the Commonwealth Acts'), which comprises the Statement by Members of the Committee, the Statement of Comprehensive Income, the Statement of Financial Position, Statement of Cash Flows, Statement of Changes In Equity, a summary of significant accounting policies and other explanatory notes for the financial year ended 31 December 2009.

Committee's Responsibility for the Financial Report

The Committee of the association is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards (including Australian Accounting Interpretations) and the , and for such internal control as management determines is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error. In Note 1, management also states in accordance with Accounting Standard AASB 101: Presentation of Financial Statements, that the financial report complies with International Financial Reporting Standards.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. Those Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the committee, as well as evaluating the overall presentation of the financial report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Independence

In conducting our audit, we have complied with the independence requirements of professional ethical pronouncements.




CFMEU Mining & Energy Division
Independent Auditor's Report to the Members

Auditor's Opinion

In our opinion:

- (i) The general purpose financial report as required by section 253 of the Fair Work (Registered Organisations) Act 2009 or its predecessor, Schedule 1 of the Workplace Relations Act 1996 ('the Commonwealth acts') is presented fairly in accordance with the requirements of this 'Part', i.e. Part 3 of Chapter 8 of the Commonwealth Acts and fairly presents the financial position of CFMEU Mining & Energy Division at 31 December 2009, and its performance and its cash flows for the year ended in accordance with the Australian Accounting Standards and ;
- (ii) the financial report also complies with International Financial Reporting Standards as disclosed in Note 1.

Signed on : 6 DEC 2010



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

CFMEU Mining & Energy Division
Notes to the Financial Statements
For the year ended 31 December 2009

Note 1: Statement of Significant Accounting Policies

The financial report is a general purpose financial report as required by section 253 of the Fair Work (Registered Organisations) Act 2009 or its predecessor, Schedule 1 of the Workplace Relations Act 1996 ("the Commonwealth Acts") that has been prepared in accordance with Accounting Standards and other authoritative pronouncements of the Australian Accounting Standards Board.

The financial report covers CFMEU Mining & Energy Division as a reporting unit. The reporting unit has as required by section 272 of the Fair Work (Registered Organisations) Act 2009 provided the following information to members:

- (1) Specified prescribed information in relation to the reporting unit on application.
- (2) Applications were required in writing specifying the period within which, and the manner in which, the information is to be made available and the period not less than 14 days after application is made to the reporting unit. (3)

The reporting unit has complied with any applications made under subsection (1).

The financial report has been prepared on an accruals basis and is based on historical costs and does not take into account changing money values or, except where stated, current valuations of non-current assets. Cost is based on the fair values of the consideration given in exchange for assets.

The following is a summary of the material accounting policies adopted by the economic entity in the preparation of the financial report. The accounting policies have been consistently applied, unless otherwise stated.

Income tax

The CFMEU Mining & Energy Division is an income tax exempt entity.

Inventories

Inventories are measured at the lower of cost and net realisable value. Costs are assigned on a first-in first-out basis.

Property, Plant and Equipment

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

a) Property

Freehold land and buildings are measured on the fair value basis, being the amount for which an asset could be exchanged between knowledgeable willing parties in an arm's length transaction. It is a policy of CFMEU Mining & Energy Division to have an independent valuation every three years, with annual appraisals being made by the directors.

The revaluation of freehold land and buildings has not taken account of the potential capital gains tax on assets acquired after the introduction of capital gains tax.

b) Plant and equipment

CFMEU Mining & Energy Division
Notes to the Financial Statements
For the year ended 31 December 2009

The carrying amount of plant and equipment is reviewed annually to ensure it is not in excess of the recoverable amount from those 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. The expected net cash flows have not been discounted to present values in determining the recoverable amounts.

c) Depreciation

The depreciable amount of all fixed assets including buildings and capitalised leased assets, but excluding freehold land, is depreciated on a straight line basis over their useful lives to CFMEU Mining & Energy Division commencing from the time the asset is held ready for use. Properties held for investment purposes are not subject to a depreciation charge. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements.

Employee entitlements

Provision is made for the liability for employee entitlements arising from services rendered by employees to balance date. Employee entitlements expected to be settled within one year together with entitlements arising from wages and salaries, annual leave and sick leave which will be settled after one year, have been measured at their nominal amount. Other employee entitlements payable later than one year have been measured at the present value of the estimated future cash out flows to be made for those entitlements.

Contributions are made by CFMEU Mining & Energy Division to an employee superannuation fund and are charged as expenses when incurred.

CFMEU Mining & Energy Division does not record, as an asset or a liability, the difference between the employer established defined benefit superannuation plan's accrued benefits and the net market value of the plans assets.

CFMEU Mining & Energy Division operates an ownership-based remuneration scheme, details of which are provided in the Notes to Accounts. Profits or losses incurred by employees, being the difference between the market value and the par value of the shares acquired, are not recorded as remuneration paid to employees.

Cash

For the purpose of the statement of cash flows, cash includes cash on hand and in all call deposits with banks or financial institutions, investments in money market instruments maturing within less than two months, net of bank overdrafts.

Comparative Figures

Where required by Accounting Standards comparative figures have been adjusted to conform with changes in presentation for the current financial year.

Revenue

Revenue from the sale of goods is recognised upon the delivery of goods to customers.

Interest revenue is recognised on a proportional basis taking in to account the interest rates applicable to the financial assets.

Dividend revenue is recognised when the right to receive a dividend has been established. Dividends received from associates and joint venture entities are accounted for in accordance with the equity method of accounting.

The accompanying notes form part of these financial statements.

CFMEU Mining & Energy Division
Notes to the Financial Statements
For the year ended 31 December 2009

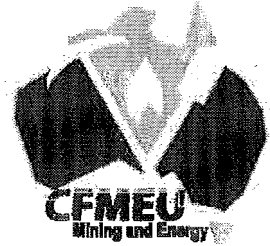
Revenue from the rendering of a service is recognised upon the delivery of the service to the customers.

All revenue is stated net of the amount of goods and services tax (GST).

The accompanying notes form part of these financial statements.

CFMEU MINING & ENERGY DIVISION

WA DISTRICT BRANCH



11 May 2012

Mr S Kellett
Organisations, Research and Advice Branch
Fair Work Australia
Terrace Towers
80 William Street
EAST SYDNEY NSW 2011



Dear Sir

RE: LODGEMENT OF FINANCIAL ACCOUNTS & STATEMENTS - WESTERN AUSTRALIAN DISTRICT BRANCH – FOR YEARS ENDING 31 DECEMBER 2009 AND 31 DECEMBER 2010

Thank you for your recent letter in regard to the above bringing to our attention issues arising from the returns and your requirement for further action.

I hereby provide the following responses as requested:

1. Further statement prepared by the Auditors as requested are to be provided on receipt from the Auditor.
2. I undertake to ensure that future reports are prepared and described as general purpose financial reports and include notice setting out subsections 272(1), (2) and (3) in full as required under s272(5) of the RAO Schedule.
3. I will ensure the provision/distribution to members and presentation and lodgement of future reports are completed within the prescribed time frames.

We apologise for the delay in this matter and thank you for your assistance.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'G N Wood'.

**G N WOOD
SECRETARY**

Mineworkers Institute, 75 Throssell Street, COLLIE WA 6225

t: (08) 97345600 | f: (08) 97341898 | e: cfmeumwa@highway1.com.au



FAIR WORK
AUSTRALIA

23 March 2012

Mr Gary Wood
Secretary, Western Australian District Branch, Mining Division
CFMEU
75 Throssell Street
COLLIE WA 6625



Dear Mr Wood

Re: Lodgement of Financial Statements and Accounts – Western Australian District (Mining Divisional) Branch – for year ending 31 December 2009 (FR2009/10230), 31 December 2010 (FR2010/2832)

I refer to my letter dated 20 February 2012 in relation to the above financial returns. There is no record of any reply.

In my letter I identified an issue arising from the form of the auditor's report and requested that the auditor provide an additional statement of opinion that made appropriate references to the Fair Work (Registered Organisations) Act 2009 in accordance with section 257(5) of that Act.

I also identified the omission of the Notice required by section 272 of the Act and requested your undertakings to complete and lodge future returns within the prescribed time frames.

A copy of that letter is attached.

I look forward to your reply and the lodgment of the auditor's statement. If you anticipate further delay, please advise me by email at stephen.kellett@fwa.gov.au or by telephone on (02) 6723 7097.

Yours sincerely,

Stephen Kellett

Organisations, Research and Advice Branch



FAIR WORK
AUSTRALIA

20 February 2012

Mr Gary Wood
Secretary, Western Australian District Branch
Construction, Forestry, Mining and Energy Union
C/- Mineworkers Institute, 75 Throssell Street
COLLIE WA 6225



Dear Mr Wood

**Re: Lodgment of Financial Accounts and Statements – Western Australian District Branch –
for years ending 31 December 2009 (FR2009/10230), 31 December 2010 (FR2010/2832)**

I refer to the above financial statements and accounts, which were received by Fair Work Australia on 14 February 2012.

Neither set of documents have yet been filed because the auditor's report for each contains a significant deficiency.

Reference to *Fair Work (Registered Organisations) Act 2009*

The auditor has indicated that the financial reports were presented fairly "*in accordance with accounting policies described in Note 1*". Note 1 describes the reports as "special purpose financial reports prepared in order to satisfy the financial reporting requirements of the Associations Incorporations Act" instead of "general purpose financial reports" as required by section 253 of the *Fair Work (Registered Organisations) Act 2009* or its predecessor, Schedule 1 of the *Workplace Relations Act 1996* ("the Commonwealth Acts").

The incorrect description of the report at Note 1 and the omission of reference to the Commonwealth Acts by the auditor means that in effect the auditor has not complied with section 257(5) of the Acts which requires him to state whether the "*general purpose financial report is presented fairly in accordance with.....any other requirements of this Part*" (i.e. Part 3 of Chapter 8 of the Commonwealth Acts.)

Under the legislation, the auditor's opinion is a key statement of assurance upon which the members of the reporting unit rely. It must be clear from the face of the finalised published report that the financial accounts have been audited in accordance with the appropriate legislation and satisfied the relevant requirements.

Other omissions or deficiencies

Neither report included the notice required by section 272(5) of the Commonwealth Acts. The notice must consist of the setting out of the text of sections 272(1), 272(2) and 272(3). I attach the relevant extract from the current Act.

Key steps for both reports were not completed within the prescribed time frame.

Firstly, the report for 2009 was not provided to the members until 8 December 2010, and the report for 2010 was not provided to members until 23 December 2011, both nearly six months outside the time period prescribed by section 265(5). The former should have been provided by early June 2010, and the latter should have been provided by early June 2011.

Secondly, the report for 2009 was not presented to a meeting until 29 December 2010, and the report for 2010 was not presented to a meeting until 16 January 2012, again both six months outside the time prescribed by section 266(1).

Thirdly, even allowing for the lateness of presentation to the second meeting, both reports were lodged outside the 14 days period prescribed by section 268.

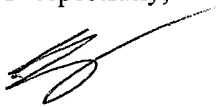
Further action required

Under the circumstances, because both financial reports will be placed on the public record on Fair Work Australia's website and on file, I would ask you to arrange that your auditor provide an additional statement of opinion in respect of both reports, as to whether they present fairly in accordance with the respective Commonwealth Act, as per section 257(5), and that you lodge the additional statement(s) as soon as practicable, but no later than 31 March 2012.

I would also ask that you provide Fair Work Australia with your undertakings to ensure future reports are prepared and described as general purpose financial reports, include the omitted references and the Notice under s272, and that provision/distribution to members and presentation and lodgement are completed within the prescribed time frames.

I will file the documents upon receipt of your reply and the additional auditor's statement(s). Please do not hesitate to contact me on (02) 6723 7097 if you would like to discuss the above or have any query.

Yours respectfully,



Stephen Kellett

Organisations, Research and Advice Branch

CFMEU MINING & ENERGY DIVISION

Western Australian District Branch



COPY

24 January 2011

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 2009

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 2009.

Yours sincerely

A handwritten signature in black ink, appearing to read "G N Wood".

**G N WOOD
SECRETARY**

Mineworkers Institute, 75 Throssell Street, COLLIE WA 6225

t: (08) 97345600 f: (08) 97341898 e: cfmeumwa@highway1.com.au

CFMEU Mining & Energy Division

Financial Statements
For the year ended 31 December 2009

Hodgins Associates

Chartered Accountants

Unit 9 / 45-47 Marlston Drive

BUNBURY 6230

Phone: 97213188 Fax: 97217051

Email: hodgassoc@iinet.net.au

**CFMEU – MINING & ENERGY DIVISION OF WA
FINANCIAL REPORTS FOR YEAR ENDED 31 DECEMBER 2009**

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 8 December 2010; and
- that the full report was presented to a meeting on 29 December 2010 in accordance with section 266 of the *Fair Work (Registered Organisations) Act 2009*.

Signature:



Date: 10 January 2011

CFMEU – MINING & ENERGY DIVISION OF WA FINANCIAL REPORTS FOR YEAR ENDED 31 DECEMBER 2009

OPERATING REPORT

The Operating Report for the CFMEU – Mining & Energy Division WA District for the year ended 31 December 2009;

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

For the financial year ending 31 December 2009 there has been a profit of \$92378

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 1035 members as at 31 December 2009.

Employees of the Union

As at 31 December 2009 the Union employed 2 full time employees.

Committee of Management

Gary Wood	District Secretary	1 January 2009 to 31 December 2009
Warren Johncock	District President	1 January 2009 to 31 December 2009
Leon Strojek	District Vice President	1 January 2009 to 31 December 2009
Brett Harris	District Vice President	1 January 2009 to 31 December 2009
Chris Curran	Board of Management	1 January 2009 to 31 December 2009
Steven Flynn	Board of Management	1 January 2009 to 31 December 2009
Darren Cosgrove	Board of Management	1 January 2009 to 31 December 2009
Dennis Jones	Board of Management	1 January 2009 to 31 December 2009

Signature:



Date: 10 January 2011

CFMEU – MINING & ENERGY DIVISION OF WA

COMMITTEE OF MANAGEMENT STATEMENT


On 6th December 2010 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 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 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: ^{VICE} President

Signature: 

Date: 6th December 2010

6 December 2010



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

INDEPENDENT AUDITORS' REPORT TO MEMBERS

CFMEU – MINING & ENERGY DIVISION OF WA

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 2009. 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. Our procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report, 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 financial report is presented fairly in accordance with the accounting policies described in Note 1 so as to present a view, which is 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 accounting policies described in Note 1 to the financial statements, the financial position of CFMEU Mining & Energy Division as at 31 December 2009 and the results of its operations for the year then ended.

CHARTERED ACCOUNTANTS

A handwritten signature in black ink, appearing to read "P. Hodgins", with a large, stylized loop at the end.

Peter .R. Hodgins
Chartered Accountant
9 / 45-47 Marlston Drive
Bunbury WA 6230

CFMEU Mining & Energy Division
Income and Expenditure Statement
For the year ended 31 December 2009

	2009	2008
	\$	\$
Income		
Fees members	571,736	516,467
Reimbursements	14,445	22,750
Interest received	1,088	1,837
Profit/ (loss) sales merchandise	2,530	(153)
Total income	589,798	540,902

Expenses

Accountancy & audit fees	3,440	3,220
Affiliation fees - CFMEU National	189,773	180,486
Affiliation fees - Other	3,804	4,064
Advertising and promotion	1,648	6,633
Bank fees and charges	2,367	1,766
Computer costs	1,018	1,107
Depreciation	7,366	8,132
Donations	7,636	12,244
Expenses Executive	2,266	2,672
Expenses Delegates		1,733
Freight & Cartage	35	312
Hire/rent of Plant & Equipment	9,874	7,849
Holiday pay provision	8,725	3,913
Insurance	8,507	10,011
Interest	2,693	2,834
Legal fees	16,091	2,714
Long service leave provision	2,256	2,816
Meeting costs	5,953	2,816
Motor vehicle expenses	12,973	14,162
Penalties & charges	660	1,320
Publications & subscriptions	179	
Postage, Printing, & Stationery	8,780	6,702
Rent on land & buildings	3,600	3,273
Repairs & maintenance		270
Salaries & wages staff	165,000	164,638
Sick leave provision	(86,078)	5,415
Superannuation	84,211	13,086

The accompanying notes form part of these financial statements.

CFMEU Mining & Energy Division
Income and Expenditure Statement
For the year ended 31 December 2009

	2009	2008
	\$	\$
Telephone	9,613	10,915
Travel and accomodation	25,032	36,825
Total expenses	<u>497,421</u>	<u>511,928</u>
Profit from Ordinary Activities	<u>92,378</u>	<u>28,973</u>
Opening retained profits	(92,894)	(121,867)
Net profit for the Period	<u>92,378</u>	<u>28,973</u>
Closing retained profits	<u>(516)</u>	<u>(92,894)</u>

The accompanying notes form part of these financial statements.

CFMEU Mining & Energy Division
Detailed Statement of Financial Position As At 31 December 2009

	2009	2008
	\$	\$
<hr/>		
Current Assets		
Cash Assets		
Cash at bank - Collie	89,668	49,051
Leave account	46,358	76,302
Cash on hand	279	279
Commonwealth Bank Mastercard	4,000	4,000
	140,304	129,632
Receivables		
Amounts receivable	67,568	61,902
	67,568	61,902
Total Current Assets	207,872	191,534
Non-Current Assets		
Property, Plant and Equipment		
Plant & equipment - at cost	34,726	34,442
Less: Accumulated depreciation	(31,180)	(28,976)
Motor vehicles - at cost	37,517	37,517
Less: Accumulated depreciation	(19,730)	(14,568)
	21,333	28,415
Total Non-Current Assets	21,333	28,415
Total Assets	229,205	219,950

The accompanying notes form part of these financial statements.

CFMEU Mining & Energy Division
Detailed Statement of Financial Position As At 31 December 2009

	2009	2008
	\$	\$
Current Liabilities		
Payables		
Unsecured:		
Amounts payable	5,073	5,491
	5,073	5,491
Current Tax Liabilities		
GST payable control account	13,257	25,729
GST payable adjustment control account	871	
Input tax credit control account	(7,914)	(15,940)
Input tax credit adjustment account		(2,516)
ATO Integrated Account Balance	1,550	
Amounts withheld from salary and wages	3,352	3,160
	11,115	10,433
Provisions		
Provision for Employee Entitlements	158,605	233,702
	158,605	233,702
Total Current Liabilities	174,793	249,626
Non-Current Liabilities		
Financial Liabilities		
Secured:		
Loan GE Money	15,787	25,807
Unexpired interest charges		(1,731)
	15,787	24,076
Total Non-Current Liabilities	15,787	24,076
Total Liabilities	190,579	273,702
Net Assets	38,625	(53,752)

The accompanying notes form part of these financial statements.

CFMEU Mining & Energy Division
Detailed Statement of Financial Position As At 31 December 2009

	2009	2008
	\$	\$
<hr/>		
Members' Funds		
Issued Capital		
Members funds	39,142	39,142
Accumulated surplus (deficit)	<u>(516)</u>	<u>(92,894)</u>
Total Members' Funds	<u><u>38,625</u></u>	<u><u>(53,752)</u></u>

The accompanying notes form part of these financial statements.

CFMEU Mining & Energy Division
Cash Flow Statement
For the year ended 31 December 2009

	2009	2008
	\$	\$
<hr/>		
Cash Flow From Operating Activities		
Receipts from customers	583,045	518,706
Payments to Suppliers and employees	(562,195)	(500,256)
Interest received	1,088	1,837
Interest and other costs of finance	(2,693)	(2,834)
Net cash provided by (used in) operating activities (note 2)	19,244	17,453
 Cash Flow From Financing Activities		
Repayment of borrowings	(8,289)	(9,176)
Net cash provided by (used in) financing activities	(8,289)	(9,176)
 Net increase (decrease) in cash held	10,955	8,277
 Cash at the beginning of the year	129,632	126,354
Cash at the end of the year (note 1)	140,587	134,631

The accompanying notes form part of these financial statements.

CFMEU Mining & Energy Division
Cash Flow Statement
For the year ended 31 December 2009

2009

2008

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	89,668	49,051
Leave account	46,358	76,302
Cash on hand	279	279
Commonwealth Bank Mastercard	4,000	4,000
	140,304	129,632
	140,304	129,632

Report is out of balance by :-

Cash at the end of the year per Cash Flow Statement	140,587	134,631
Closing balances of Cash (bank) accounts	140,304	129,632

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

Operating profit (loss) after tax	92,378	28,973
Depreciation	7,366	8,132
Changes in assets and liabilities net of effects of purchases and disposals of controlled entities:		
(Increase) decrease in trade and term debtors	(5,666)	(20,358)
Increase (decrease) in trade creditors and accruals	(418)	(12,469)
Increase (decrease) in employee entitlements	(75,097)	12,144
Increase (decrease) in sundry provisions	682	1,031
Net cash provided by operating activities	19,244	17,453

The accompanying notes form part of these financial statements.

CFMEU Mining & Energy Division
Depreciation Schedule for the year ended 31 December, 2009

	Total	Priv	OWDV	DISPOSAL		ADDITION		DEPRECIATION			Priv	CWDV	PROFIT		LOSS				
				Date	Consid	Date	Cost	Value	T	Rate			Deprec	Upto	+	Above	Total	-	Priv
Motor Vehicles																			
2006 VE Commodore 1CHA317	37,510.00	24/01/07	37,510	0.00	22,942		0		0	22,942	D	22.50	5,162	0	17,780	0	0	0	0
	<u>37,510</u>		<u>22,942</u>		<u>0</u>		<u>0</u>	<u>22,942</u>		<u>5,162</u>		<u>0</u>		<u>17,780</u>					
								Deduct Private Portion				<u>0</u>							
								Net Depreciation		<u>5,162</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 2009

Note 1: Summary 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[***insert name of state***]. The committee has determined that the association is not a reporting entity.

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.

The following significant accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of this financial report.

(a) Property, Plant and Equipment (PPE)

Leasehold improvements and office equipment are carried at cost less, where applicable, any accumulated depreciation.

The depreciable amount of all PPE is 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) Impairment of Assets

At the end of each reporting period, the entity reviews the carrying values of its tangible and intangible 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 income statement.

(c) Employee Benefits

Provision is made for the association's liability for employee benefits arising from services rendered by employees to the end of the reporting period. Employee benefits have been measured at the amounts expected to be paid when the liability is settled.

(d) Provisions

Provisions are recognised when the association has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reasonably measured. Provisions are measured at the best estimate of the amounts required to settle the obligation at the end of the reporting period.

(e) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, deposits held at call with banks, and other short-term highly liquid investments with original maturities of three months or less.

(f) Revenue and Other Income

CFMEU Mining & Energy Division
Notes to the Financial Statements
For the year ended 31 December 2009

Revenue is measured at the fair value of the consideration received or receivable after taking into account any trade discounts and volume rebates allowed. For this purpose, deferred consideration is not discounted to present values when recognising revenue.

Interest revenue is recognised using the effective interest rate method, which for floating rate financial assets is the rate inherent in the instrument. Dividend revenue is recognised when the right to receive a dividend has been established.

Grant and donation income is recognised when the entity obtains control over the funds, which is generally at the time of receipt.

All revenue is stated net of the amount of goods and services tax (GST).

(g) Leases

Leases of PPE, where substantially all the risks and benefits incidental to the ownership of the asset, but not the legal ownership, are transferred to the association, are classified as finance leases.

Finance leases are capitalised by recording an asset and a liability at the lower of the amounts equal to the fair value of the leased property or the present value of the minimum lease payments, including any guaranteed residual values. Lease payments are allocated between the reduction of the lease liability and the lease interest expense for that period.

Leased assets are depreciated on a straight line basis over the shorter of their estimated useful lives or the lease term. Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor, are charged as expenses in the period in which they are incurred.

(h) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Tax Office. In these circumstances, the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the balance sheet are shown inclusive of GST.

(i) Trade and Other Payables

Trade and other payables represent the liability outstanding at the end of the reporting period for goods and services not received by the association during the reporting period, which remain unpaid. The balance is recognised as a current liability with the amounts normally paid within 30 days of recognition of the liability.



FAIR WORK
AUSTRALIA

18 October 2011

Mr Gary Wood
Secretary, Western Australian District Branch, Mining Division
CFMEU
75 Throssell Street
COLLIE WA 6625



Dear Mr Wood

Re: Lodgement of Financial Statements and Accounts – Western Australian District (Mining Divisional) Branch – for year ending 31 December 2009 (FR2009/10230), 31 December 2010 (FR2010/2832)

The financial returns for the years ending 31 December 2009 and 31 December 2010 remain outstanding according to our records and are now overdue.

I am writing therefore to remind you to lodge the above as soon as possible. If there have been circumstances causing the returns not to be ready to be lodged, I respectfully request your advice as to the reasons and when you anticipate being able to lodge them.

Yours sincerely,

Stephen Kellett
Statutory Services Branch



FAIR WORK
AUSTRALIA

3 August 2011

Mr Gary Wood
Secretary, Western Australian District Branch, Mining Division
CFMEU
75 Throssell Street
COLLIE WA 6625



Dear Mr Wood

Re: Lodgement of Financial Statements and Accounts – Western Australian District (Mining Divisional) Branch – for year ending 31 December 2009 (FR2009/10230), 31 December 2010 (FR2010/2832)

The financial returns for the years ending 31 December 2009 and 31 December 2010 remain outstanding according to our records and are now overdue.

I am writing therefore to remind you to lodge the above as soon as possible. If there have been circumstances causing the returns not to be ready to be lodged, I respectfully request your advice as to the reasons and when you anticipate being able to lodge them.

Yours sincerely,

Stephen Kellett
Statutory Services Branch

11 January 2011

Mr Gary Wood
Secretary, Western Australian District Branch, Mining Division
CFMEU
75 Throssell Street
COLLIE WA 6625



Dear Mr Wood

Re: Lodgement of Financial Statements and Accounts – Western Australian District (Mining Divisional) Branch – for year ending 31 December 2009 (FR2009/10230)

The financial return for the year ending 31 December 2009 remains outstanding according to our records and is now overdue.

I am writing therefore to remind you to lodge the above as soon as possible. If there have been circumstances causing the 2009 return not to be ready to be lodged, I respectfully request your advice as to the reasons and when you anticipate being able to lodge it.

Yours sincerely,

Stephen Kellett
Statutory Services Branch

10 August 2010

Mr Gary Wood
Secretary, Western Australian District Branch, Mining Division
CFMEU
75 Throssell Street
COLLIE WA 6625



FAIR WORK
AUSTRALIA

Dear Mr Wood

Re: Lodgement of Financial Statements and Accounts – Western Australian District (Mining Divisional) Branch – for year ending 31 December 2009 (FR2009/10230)

The financial return for the year ending 31 December 2009 remains outstanding according to our records and is now overdue.

I am writing therefore to remind you to lodge the above as soon as possible. If there have been circumstances causing the 2009 return not to be ready to be lodged, I respectfully request your advice as to the reasons and when you anticipate being able to lodge it.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'S. Kellett'.

Stephen Kellett
Statutory Services Branch



11 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 2009
(FR2009/10230)**

The financial year of the Western Australian District Branch 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(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>. 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

Telephone: (02) 8374 6666/ Mobile :
0429 462 979
Facsimile: (02)9380 6990
Email : stephen.kellett@fwa.gov.au
Internet : www.fwa.gov.au