



FAIR WORK
AUSTRALIA

11 April 2012

Mr Michael Buchan
Branch Secretary
Western Australian Branch
Construction, Forestry, Mining and Energy Union
PO BOX 6681
EAST PERTH WA 6892

Dear Mr Buchan,

**Section 271 Certificate of Exemption - Construction, Forestry, Mining and Energy Union,
Western Australian Branch - year ending 31 December 2011 (FR2011/2826)**

I refer to your application dated 30 March 2012 which was lodged with Fair Work Australia (FWA) on 2 April 2012 for a certificate of exemption under subsection 271(1) of the *Fair Work (Registered Organisations) Act 2009* (the Act) in respect of the Western Australian Branch of the Construction, Forestry, Mining and Energy Union for the financial year ending 31 December 2011.

Section 271(3) of the Act requires an application under subsection 271(1) to be made within 90 days after the end of the financial year, or such longer period as the General Manager allows. Given that its financial year ended on 31 December 2011, the reporting unit was required to lodge its application under subsection 271(1) by 30 March 2012. While the application is dated 30 March 2012, it was not lodged with FWA until 2 April 2012.

Given that 30 March 2012 was a Friday and the application was lodged with FWA on the following Monday, I have granted an extension of time under subsection 271(3) of the Act on this occasion.

Any future applications under subsection 271(1) of the Act are required to be lodged with FWA within the 90 day time limit set out in subsection 271(3). Where this has not occurred, the reporting unit will be required to make a written request for an extension of time under subsection 271(3) setting out reasons for the request.

The certificate is enclosed.

Yours sincerely

Ailsa Carruthers
Delegate of the General Manager
Fair Work Australia



FAIR WORK
AUSTRALIA

CERTIFICATE

Fair Work (Registered Organisations) Act 2009
s.271 – Certificate of exemption

Construction, Forestry, Mining and Energy Union
(FR2011/2826)

AILS A CARRUTHERS

MELBOURNE, 11 APRIL 2012

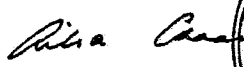

s. 271 - Certificate of Exemption.

[1] On 2 April 2012, the Western Australian Branch of the Construction, Forestry, Mining and Energy Union lodged with Fair Work Australia an application under subsection 271(1) for a certificate of exemption from the requirements of Part 3 of Chapter 8 of the *Fair Work (Registered Organisations) Act 2009* (the Act), in respect of the financial year ending 31 December 2011.

[2] Subsection 271(3) of the Act requires the reporting unit to make application under subsection 271(1) within 90 days, or such longer period as the General Manager allows, after the end of the financial year. Given that its financial year ended on 31 December 2011, the reporting unit was required to lodge the application by 30 March 2012.

[3] I allow an extension of time under subsection 271(3) until 2 April 2012 for lodgement of the application under subsection 271(1) of the Act.

[4] I CERTIFY that I am satisfied, after considering the prescribed circumstances, that the reporting unit did not have any financial affairs in the aforesaid financial year.

DELEGATE OF THE GENERAL MANAGER
FAIR WORK AUSTRALIA

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FR 2011/2826

CFMEU

WESTERN AUSTRALIAN BRANCH

82 Royal Street
EAST PERTH WA 6004

POSTAL ADDRESS
PO Box 6681
EAST PERTH WA 6892

Ph: (08) 9221 1055
Fax: (08) 9221 1506

30 March 2012

General Manager
Fair Work Australia
Level 8, Terrace Towers
80 William Street
EAST SYDNEY NSW 2011



By email: RIASydney@fwa.gov.au

Dear Sir

Fair Work (Registered Organisations) Act 2009 – Section 271 – Application for Certificate

I am Secretary of the Construction, Forestry, Mining and Energy Union WESTERN AUSTRALIAN Branch ("the Branch") and occupied that position since 21 December 2011. I am authorised under the rules to act on behalf of the Branch.

Pursuant to Fair Work (Registered Organisations) Act 2009, Section 271, I hereby apply for a certificate of exemption for the Branch in respect of the financial year ending 31 December 2011.

In support of this application I submit as follows;

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

7. The Branch has not expended economic resources or incurred any financial obligations to conduct its activities.
8. No other reporting unit of the organisation expends its own economic resources or incurs financial obligations so that the Branch may conduct its activities.
9. No other person or body corporate or trust expends its own economic resources or incurs financial obligations so that the Branch may conduct its activities.
10. Accordingly the Branch had no reason to keep accounting records during the financial year.
11. Notwithstanding the above, the Branch has functioned in accordance with the rules of the CFMEU including the rules relating to branches.

Yours faithfully,



MICHAEL BUCHAN
Secretary
CFMEU Western Australian Branch