



FAIR WORK
COMMISSION

10 May 2013

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

Dear Mr Buchan

Also by fax: (08) 9221 1506

**S.271 Certificate of Exemption - Construction, Forestry, Mining and Energy Union,
Western Australian Branch - for year ending 31 December 2012 (FR2012/519)**

I refer to the applications dated 26 March and 7 May 2013 which were lodged with the Fair Work Commission on 28 March and 9 May 2013 respectively for a certificate of exemption under s271 of the *Fair Work (Registered Organisations) Act 2009* in respect of the Western Australian Branch of the Construction, Forestry, Mining and Energy Union for the financial year ending 31 December 2012.

The application has been granted and the certificate is enclosed.

Yours sincerely

David Vale
Principal Adviser
Regulatory Compliance Branch
Fair Work Commission



FAIR WORK
COMMISSION

CERTIFICATE

Fair Work (Registered Organisations) Act 2009

s.271—Certificate of exemption from requirements of Chapter 8, Part 3

Construction, Forestry, Mining and Energy Union
(FR2012/519)

AILSA CARRUTHERS

MELBOURNE, 10 MAY 2013

Certificate of exemption from the requirements of Chapter 8, Part 3 of the Fair Work (Registered Organisations) Act 2009

[1] On 28 March 2013 an application was made under s.271(1) of the *Fair Work (Registered Organisations) Act 2009* (the Act) by the Western Australian Branch of the Construction, Forestry, Mining and Energy Union (the reporting unit) for a certificate of exemption in respect of the financial year ended 31 December 2012.

[2] On 9 May 2013 an amended application was lodged by the reporting unit.

[3] The amended application states that:

- the reporting unit has not expended economic resources or incurred any financial obligations to conduct its activities;
- various Divisional/District Branches of the Construction, Forestry, Mining and Energy Union within the State of Western Australia expend their own economic resources and incur financial obligations so that the reporting unit may conduct its activities; and
- no person or body corporate or trust expends its own economic resources or incurs financial obligations so that the reporting unit may conduct its activities.

[4] I am satisfied that the reporting unit did not have any financial affairs in respect of the financial year ended 31 December 2012.



DELEGATE OF THE GENERAL MANAGER
FAIR WORK COMMISSION

Printed by authority of the Commonwealth Government Printer
<Price code A, PR535884>

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

7 May 2013



David Vale
Principal Adviser
Regulatory Compliance Branch, NSW
Fair Work Commission
Level 8, Terrace Towers
80 William Street
EAST SYDNEY NSW 2011

By email: orgs@fwc.gov.au

Dear Mr Vale

Amended Application for Exemption Certificate

I refer to your correspondence of 21 April 2013.

Please find **enclosed** an amended application for certificate under section 271 of the Act.

If you have any queries in relation to this correspondence please contact Jack Nicholas on 08 9221 1055 or by email jnicholas@cfmeuwa.com

Yours faithfully,

A handwritten signature in black ink, appearing to read 'M. Buchan'.

MICHAEL BUCHAN
Secretary
CFMEU Western Australian Branch

Encl. (1)

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

7 May 2013

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

By email: orgs@fwc.gov.au

Dear Sir

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

I am the Secretary of the Construction, Forestry, Mining and Energy Union WESTERN AUSTRALIAN Branch ("the Branch") and occupied that position for the financial year ending 31 December 2012 ("the financial year"). 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 2012.

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. The various Divisional/District Branches within the State of Western Australia expend their own economic resources and incur 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



FAIR WORK
COMMISSION

21 April 2013

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

Dear Mr Buchan

Also by fax: (08) 9221 1506

**S.271 Certificate of Exemption - Construction, Forestry, Mining and Energy Union,
Western Australian Branch - for year ending 31 December 2012 (FR2012/519)**

I refer to the application dated 26 March 2013 which was lodged with the Fair Work Commission on 28 March 2013 for a certificate of exemption under s271 of the *Fair Work (Registered Organisations) Act 2009* (the Act) in respect of the Western Australian Branch (the Branch) of the Construction, Forestry, Mining and Energy Union for the financial year ending 31 December 2012.

To be granted a certificate of exemption under section 271 of the Act, an application must include a statement which includes all of the prescribed circumstances as outlined in regulation 165 of the *Fair Work (Registered Organisations) Regulations 2009*, and in particular, regulation 165(b). The statement must include words to the effect that:

Other reporting units of the organisation (Divisional or District Branches within the state of Western Australia) expend their own economic resources or incur financial obligations so that the Western Australian Branch can conduct its activities.

The current application states that '*no other reporting unit of the organisation expends its own economic resources so that the Branch may conduct its activities*'.

Once an amended statement is lodged which confirms the above prescribed circumstances, the Commission will be in a position to be able to issue a certificate.

Yours sincerely

David Vale
Principal Adviser
Regulatory Compliance Branch
Fair Work Commission

FR 20(2) 519

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

26 March 2013

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

By email: orgs@fwc.gov.au

Dear Sir



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

I am the Secretary of the Construction, Forestry, Mining and Energy Union WESTERN AUSTRALIAN Branch ("the Branch") and occupied that position for the financial year ending 31 December 2012 ("the financial year"). 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 2012.

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