



25 February 2014

John Kennett  
President  
Master Builders Association of South Australia Incorporated

by email: [buildsa@mbasa.com.au](mailto:buildsa@mbasa.com.au)

Attn Ms Linda Liu

Dear Kennett,

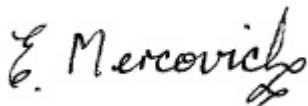
**Annual Return of Information for 2013 [AR2013/227]**

I acknowledge receipt on 18 February 2013 of your Declaration providing information in accordance with subsection 233(1) of the *Fair Work (Registered Organisations) Act 2009*. I also acknowledge the amended declaration dated 28 October 2013 following my letter of 27 August 2013.

The documents lodged cover the required information for the 2013 Annual Return of Information of Master Builders Association of South Australia Incorporated.

The document can be viewed on the Fair Work Commission website through the List of Registered Organisations - <http://www.fwc.gov.au/index.cfm?pagename=regorgslist>

Yours sincerely



Liz Mercovich  
Regulatory Compliance Branch

**MASTER BUILDERS ASSOCIATION OF SOUTH AUSTRALIA Incorporated**  
**(A.C.N. 183783305)**  
**ANNUAL RETURN**

**AS AT 1 JANUARY 2013**

**DECLARATION UNDER SECTION 233 (1a) FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009**

Pursuant to the *Fair Work (Registered Organisations) Act 2009* (the RO Act), I, John Kennett, President and a prescribed officer of the Master Builders Association of South Australia Incorporated (“the Association”) pursuant to Regulation 9, hereby declare:

1. That the Association’s register of members has during the immediately preceding calendar year, been kept and maintained as required by paragraph 230(1) and subsection 230(2) of the RO Act, showing the name and postal address of each member and showing whether the member became a member under an agreement entered into under rules made under subsection 151(1).
2. That in accordance with section 230(1)(c) of the RO Act, the Association keeps the list of the offices in the organisation, including names, postal addresses and occupations of the persons holding the offices as at 31 December 2012.

**Executive Committee**

President:

John Kennett

Managing Director

Kennett Pty Ltd

Deputy President:

Tullio Tagliaferri

Managing Director

Tagara Builders Pty Ltd

Past President:

David McMahan

Managing Director

McMahon Services Pty Ltd

Vice President:

Richard Bryant

General Manager

Metricon Homes Pty Ltd

Vice President:

Mario Romaldi

Director

Romaldi Constructions Pty Ltd

Treasurer:

Peter Salvesson

Manager

Hansen Yuncken Pty Ltd

## **Council**

Housing Sector:

Gary Dann

Chief Executive Officer

Weeks Building Group

Christopher Schutze

General Manager

Scott Salisbury Homes

Enco Zito

Director

Zee Constructions Pty Ltd

Civil/Engineering:

Christopher Leopold

Manager

Boulderstone Pty Ltd

Mark Smeaton

Construction Director

Ahrens Group Pty Ltd

Nick Abley

State Manager SA

Badge Constructions Pty Ltd

Commercial Contractors:

Ian Markos

National SQE Manager

John Hindmarsh (SA) Pty Ltd

Scott Penhall

Managing Director

Built Environs Pty Ltd

Nathan O'Neill

Managing Director

Unique Urban Built Pty Ltd

Subcontractors:

Steven Janssen

Partner

J&S Janssen Bricklayers

Mark Beaton

Managing Director

Seasonair Pty Ltd

Russell Bianco

Managing Director

Bianco Walling Pty Ltd

3. The address for all office holders is Level 1, 47 South Terrace, Adelaide, South Australia, 5000.
4. Pursuant to s 230(1) (d) and regulation 147 (f) of the RO Act, the Association keeps the record of the number of members. On the 31 December 2012, the Association had 2293 members.
5. That the principal place of business for the Master Builders Association of South Australia Inc., as at 31 December 2012 was located at 47 South Terrace, Adelaide, South Australia 5000.
6. There are no branches of the Association that commenced operation in the previous 12 months or ceased to operate in the previous 12 months to be reported under section 230(1) (d) and Regulation 147 (b) and (c).
7. Elections are due in 2013 for the following Offices:

President  
Deputy President  
Past President  
Vice President  
Treasurer  
11 Members of Council

The elections were held on 15 October 2013.

8. The attached copy of records is a correct statement of information contained in those records.

And I make this declaration conscientiously believing the same to be true and accurate.

Signed   
\_\_\_\_\_  
John Kennett

Declared at Adelaide on 28<sup>th</sup> October 2013



27 August 2013

John Kennett  
President  
Master Builders Association of South Australia Incorporated  
Level 1, 47 South Terrace  
ADELAIDE SA 5000  
By email: [buildsa@mbasa.com.au](mailto:buildsa@mbasa.com.au)

Dear Mr Kennett

***Fair Work (Registered Organisations) Act 2009 (the RO Act)***

**Annual Return of Information [AR2013/227]**

I am reviewing the information that you provided in your declaration received by the Fair Work Commission (the Commission) on 18 February 2013 in relation to the Master Builders Association of South Australia Incorporated (the MBASAI). I apologise for not having reviewed the information until now.

A number of the elements of the Annual Return 2013 need to be amended before the document can be accepted by the Commission.

**At point 2** of your declaration you list only the offices and names of the Executive Committee.

The rules of the MBASAI state that management of the Association is vested in the Council which consists of the Office-bearers of the Association and twelve (12) other Members of the Association. The Annual Returns lodged by MBASAI in 2006, 2007 and 2008 included the names of the twelve other Members of the Council but the returns for 2009 to the present have only listed the Executive Council. This should have been identified in previous years but has not been drawn to the attention of the MBASAI.

\*\*\*\* Requirement: The amended declaration for 2013 must list all the offices that comprise the Council and should provide the name, postal address and occupation of the office holders including reference to any vacant offices.

**At point 7** of your declaration, you state "...an election for officers and members of Council was held on 16th October 2012 as required under Rules 14 and 18 of the Association."

The requirement under regulation 147(e) is to provide:

"(e) a record of each election that must, under the rules of the organisation, be held during each year commencing 1 January:

(i) for an office in the organisation; ..."

In other words, the requirement relates to future elections rather than past elections and needs to state each office subject to election in the forthcoming year.

Flowing from this, I am unsure which offices, if any, are subject to election in 2013. On 14 December 2010, the Delegate to the General Manager certified changes to the rules of your organisation which included the extension of the term of office from 1 year to 2 years for all office holders of the MBASAI.

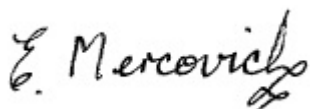
Following this change, an election should have been held in 2011. No election would have been required in 2012 and then an election would be held in 2013. The information lodged in AR2012/329 stated that an election was "held on 18th October 2011" and the information lodged in AR2013/227 stated that an election was "held on 16th October 2012".

Since each office is held for two years, I am unsure why the MBASAI is reporting that elections are still being held annually.

\*\*\*\* Requirement: The amended declaration for 2013 must list all the offices that are subject to an election during 2013.

In closing, I want to acknowledge that these omissions have not previously been drawn to the attention of the MBASAI but the content does not meet the requirements of the RO Act and so an amended return is required to be lodged.

Yours sincerely



Liz Mercovich  
Adviser  
Regulatory Compliance Branch

**MASTER BUILDERS ASSOCIATION OF SOUTH AUSTRALIA Incorporated  
(A.C.N. 183783305)  
ANNUAL RETURN**

**AS AT 1 JANUARY 2013**

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Pursuant to the *Fair Work (Registered Organisations) Act 2009* (the RO Act), I, John Kennett, President and a prescribed officer of the Master Builders Association of South Australia Incorporated ("the Association") pursuant to Regulation 9, hereby declare:

1. That the Association's register of members has during the immediately preceding calendar year, been kept and maintained as required by paragraph 230(1) and subsection 230(2) of the RO Act, showing the name and postal address of each member and showing whether the member became a member under an agreement entered into under rules made under subsection 151(1).
2. That in accordance with section 230(1)(c) of the RO Act, the Association keeps the list of the offices in the organisation, including names, postal addresses and occupations of the persons holding the offices as at 31 December 2012.

**Executive Committee**

President:

John Kennett  
Managing Director  
Kennett Pty Ltd

Deputy President:

Tullio Tagliaferri  
Managing Director  
Tagara Builders Pty Ltd

Past President:

David McMahon  
Managing Director  
McMahon Services Pty Ltd

Vice President:

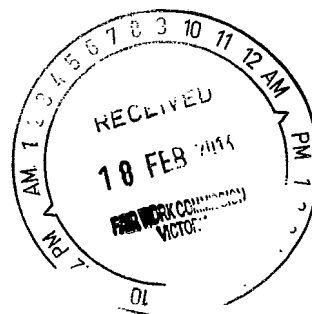
Richard Bryant  
General Manager  
Metricon Homes Pty Ltd

Vice President:

Mario Romaldi  
Director  
Romaldi Constructions Pty Ltd

Treasurer:

Peter Salveson  
Manager  
Hansen Yuncken Pty Ltd



3. The address for all office holders is Level 1, 47 South Terrace, Adelaide, South Australia, 5000.
4. Pursuant to s 230(1) (d) and regulation 147 (f) of the RO Act, the Association keeps the record of the number of members. On the 31 December 2012, the Association had 2293 members.
5. That the principal place of business for the Master Builders Association of South Australia Inc., as at 31 December 2012 was located at 47 South Terrace, Adelaide, South Australia 5000.
6. There are no branches of the Association that commenced operation in the previous 12 months or ceased to operate in the previous 12 months to be reported under section 230(1) (d) and Regulation 147 (b) and (c).
7. Pursuant to s 230(1) (d) and regulation 147(e) an election for officers and members of Council was held on 16th October 2012 as required under Rules 14 and 18 of the Association.
8. The attached copy of records is a correct statement of information contained in those records.

And I make this declaration conscientiously believing the same to be true and accurate.

Signed    
 John Kennett

Declared at Adelaide on 8<sup>th</sup> February 2013.