



21 August 2019

Graciete Ferreira
President
Master Builders Association of the Australian Capital Territory

Sent via email: canberra@mba.org.au & aberry@mba.org.au

Dear Graciete Ferreira,

Declaration and information lodged under subsection 233(1) for 2019 (AR2019/53)

I acknowledge receipt by the Registered Organisations Commission (the ROC) on 21 March 2019 of the organisation's Annual Return which provides information under subsection 233(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

Thank you for providing the Annual Return. The documents lodged provide the required information for the 2019 Annual Return of the Master Builders Association of the Australian Capital Territory (MBAACT).

The Annual Return has been filed. I should however state that the Annual Return includes 'Chief Executive Officer' in the list of the holders of offices of the MBAACT. I note that Rule 19(d) of the MBAACT's rulebook states that the Executive Director 'shall be the Association's Chief Executive Officer', whilst rule 19(a) states that the Executive Director shall be appointed by the Executive Committee, and rule 19(c) states that the appointment may be terminated by the Executive Committee. Section 143 of the RO Act states that "*The rules of an organisation must provide for the election of the holder of each office in the organisation*". There does not appear to be any provision in the MBAACT rulebook for an election of a Chief Executive Officer (or an Executive Director) being elected to an office, pursuant to the RO Act. Accordingly, it appears the Chief Executive Officer is not the holder of an office, and should not be included as an office holder in the Annual Return. Unless there is another rule which contradicts the above, please ensure the Chief Executive Officer is not included as an office holder in next year's Annual Return. Annual returns are publicly available on the website through the [List of Registered Organisations](#).

Notifications of Change

I also acknowledge receipt of a Notification of Change on 12 August 2019 to the office holders of the Master Builders Association of the Australian Capital Territory.

This information was lodged with the ROC pursuant to the notification requirements in section 233(2) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The table below outlines the change and when it was lodged. Our records have been updated and the document can be viewed on the Website through the [list of Registered Organisations](#).

Date of lodgement	Branch	Change	Within prescribed period
12 August 2019	n/a	Nick Zardo – Civil Contractors Council Chair; 31 July 2019	YES

Time frames

Regulation 151 of the *Fair Work (Registered Organisations) Regulations 2009* prescribes that a notification of change pursuant to section 233(2) of the RO Act must be lodged within 35 days of the change occurring.

Officer Induction Kit

The ROC has created an [Officer Induction Kit](#) to assist new officers. The Kit includes a number of resources that will help an officer to understand their general duties as an officer and their specific duties as an officer in your organisation. It also includes tools to guide an officer's understanding of compliance dates and other reporting obligations.

The kit should not be printed as it is updated regularly and some of the documents are interactive. The ROC strongly recommends that all new officers, and officers who are seeking more information on their obligations and duties, are given the link to the officer induction kit. Please direct any new officers to the kit which is on the ROC's [fact sheets, templates and webinars page](#), under Officers.

Mandatory disclosures


Please ensure that all new holders of office are advised of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests. Details are contained in the RO Act and are summarised in the ROC's [Disclosures Fact Sheet](#).

Mandatory training

Please also note that Section 293K of the RO Act requires each officer with duties that relate to financial management to undertake approved training that covers the duties within 6 months after the person begins to hold office. Please ensure that relevant officers are advised of the requirement to undertake approved training. Please also ensure that they undertake the training within the required timeframe. Further information about training is provided in our [officer financial training fact sheet](#).

If you have any queries regarding this correspondence I can be contacted on 1300 341 665 or by email at regorgs@roc.gov.au.

Yours faithfully,



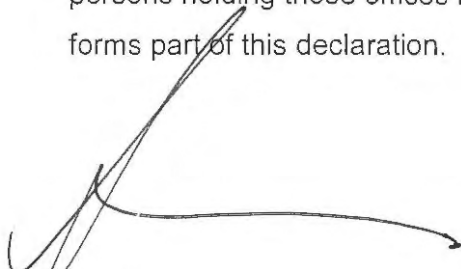
David Vale
Registered Organisations Commission

NOTIFICATION OF CHANGES TO RECORDS (Changes to Records in the Annual Return)
required to be kept in accordance with section 230 *Fair Work (Registered Organisations)*
Act 2009 and regulation 147 *Fair Work (Registered Organisations) Regulations 2009*

I, **FRANK PORRECA**, being the **TREASURER** of the **MASTER BUILDERS ASSOCIATION OF THE ACT**, declare the following:

1. I am authorised to make this declaration.
2. The following is a correct statement of the changes made to the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the *Fair Work (Registered Organisations) Act 2009*:
 - A list of changes to offices and the names, postal addresses and occupations of persons holding those offices is attached to this declaration at Annexure A and forms part of this declaration.

Signed:



Dated:

12/8/2019

[PLEASE NOTE: This declaration must be submitted to the Registered Organisations Commission within 35 days of the change. It can be submitted to regorgs@roc.gov.au.]

ANNEXURE A

THIS IS A PUBLIC DOCUMENT THAT WILL BE PUBLISHED ON THE WEBSITE

Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:

[Please note:

- *delete the italicised information: this is instructional or provided by way of example only*
- *the ROC must be notified within 35 days of the change*
- *the 35 days begins at the earliest event (for instance when the officer retires) and **cannot be notified in advance** of the change*
- *a notification of a person leaving office and a notification of person filling the vacant office may need to be lodged separately if the appointment or election process takes longer than 35 days.]*

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder	Occupation of <u>New</u> Office Holder
	31.7.19	Civil Contractors Council Chair		Nick Zardo	16B Bass Street Queanbeyan NSW 2620	Director

ANNUAL RETURN OF INFORMATION (organisation with no branches) in accordance with Regulation 147 *Fair Work (Registered Organisations) Regulations 2009* and Sections 230 and 233 *Fair Work (Registered Organisations) Act 2009*

I, **GRACIETE FERREIRA**, being the **PRESIDENT** of the **MASTER BUILDERS ASSOCIATION OF THE ACT**, declare the following:

1. I am authorised to make this declaration.
2. The register of members has, during the immediately preceding calendar year, been kept and maintained as required by s.230(1)(a) and s.230(2) of the *Fair Work (Registered Organisations) Act 2009* (the Act).
3. The following is a correct statement of the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the Act:
 - The address of the organisation is **1 Iron Knob Street, FYSHWICK ACT 2609**.¹
 - The organisation has no branches and no branches have ceased or commenced in the previous 12 months.²
 - On 31 December in the previous year the number of members was 1029.³
 - A list of offices and the names, postal addresses and occupations of persons holding those offices as at the date of this declaration is attached at Annexure A and forms part of this declaration.

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a), (b), (c) & (d)

³ s.230(1)(d); reg.147(f)

- Under the rules of the organisation, the following elections must be held between 1 January and 31 December of THIS YEAR:⁴

President (1)

Treasurer (1)

- The organisation:
 - Has not entered into an agreement under s.151(1) of the Act with a state union.

Signed:



Dated:

18.03.19

*[PLEASE NOTE: This declaration must be lodged with the Registered Organisations Commission by 31 March. It can be submitted to regorgs@roc.gov.au. If at any time in the year this information changes a Notification of Changes must be lodged with the ROC within **35 days** of the change⁵.]*

⁴ s.230(1)(d); reg.147(e)

⁵ s.233(2); reg. 151

ANNEXURE A

THIS IS A PUBLIC DOCUMENT THAT WILL BE PUBLISHED ON THE WEBSITE

- Offices and Office Holders in the Organisation *[insert as many pages as required]*:

Name of Office (include any offices that are vacant)	Name of Office Holder	Postal Address of Office Holder	Occupation of Office Holder
President	Graciete FERREIRA	PO Box 1211 FYSHWICK ACT 2609	Chief Executive Officer
Treasurer	Frank PORRECA	PO Box 1211 FYSHWICK ACT 2609	Chief Executive Officer
Commercial Builders Council Chair	Matthew RAYMENT	PO Box 1211 FYSHWICK ACT 2609	Chief Operating Officer
Commercial Builders Council Alternate Chair & Member of Ordinary Council	Valdis LUKS	PO Box 1211 FYSHWICK ACT 2609	Managing Director
Commercial Builders Council – Member of Ordinary Council	Stephen WISE	PO Box 1211 FYSHWICK ACT 2609	Director
	Mark BAUER	PO Box 1211 FYSHWICK ACT 2609	General Manager
	Sam DELORENZO	PO Box 1211 FYSHWICK ACT 2609	Manager
	Simon BUTT	PO Box 1211 FYSHWICK ACT 2609	Chief Executive Officer
	Norman MACLACHLAN	PO Box 1211 FYSHWICK ACT 2609	ACT Construction Manager
	Jack HARRIS	PO Box 1211 FYSHWICK ACT 2609	Project Manager
	Chris SOFATZIS	PO Box 1211 FYSHWICK ACT 2609	ACT General Manager

Suppliers and Subcontractors Council Chair	Karen PORTER	PO Box 1211 FYSHWICK ACT 2609	Director
Suppliers and Subcontractors Council Alternate Chair & Member of Ordinary Council	Rosa JOSIFOSKI	PO Box 1211 FYSHWICK ACT 2609	Director
Suppliers and Subcontractors – Member of Ordinary Council	Karen PORTER	PO Box 1211 FYSHWICK ACT 2609	Director
	Milan KRALJEVIC	PO Box 1211 FYSHWICK ACT 2609	Director
	Jodie RIDLEY	PO Box 1211 FYSHWICK ACT 2609	Director
	Jaye FORESTER	PO Box 1211 FYSHWICK ACT 2609	Sales Manager
Residential Builders Council Chair	Bryan LEEMING	PO Box 1211 FYSHWICK ACT 2609	Chief Executive Officer
Residential Builders Council Alternate Chair & Member of Ordinary Council	Richard CORVER	PO Box 1211 FYSHWICK ACT 2609	Designer and Estimator
Residential Builders Council – Member of Ordinary Council	Jason TANCHEVSKI	PO Box 1211 FYSHWICK ACT 2609	Director
	Marc Charles ROLAND	PO Box 1211 FYSHWICK ACT 2609	Manager
	Matthew SANDFORD	PO Box 1211 FYSHWICK ACT 2609	Project Director
	Jason BISA	PO Box 1211 FYSHWICK ACT 2609	General Manager
Civil Contractors Council Chair	<i>Vacant</i>		
Civil Contractors Council Alternate	Anisha SACHDEVA	PO Box 1211 FYSHWICK ACT 2609	Director

Chair & Member of Ordinary Council			
Civil Contractors Council – Member of Ordinary Council	Nigel FORDE	PO Box 1211 FYSHWICK ACT 2609	Managing Director
	Jason BURGESS	PO Box 1211 FYSHWICK ACT 2609	Director
	Stuart RITCHIE	PO Box 1211 FYSHWICK ACT 2609	Director
	Rory GOODSSELL	PO Box 1211 FYSHWICK ACT 2609	Manager
	Nick ZARDO	PO Box 1211 FYSHWICK ACT 2609	Director
Professional Council Chair	John NIKOLIC	PO Box 1211 FYSHWICK ACT 2609	Associate
Professional Council Alternate Chair & Member of Ordinary Council	Stephen WISE	PO Box 1211 FYSHWICK ACT 2609	Director
Professional Council – Member of Ordinary Council	Bryan AHERN	PO Box 1211 FYSHWICK ACT 2609	Director
	Andrew CROMPTON	PO Box 1211 FYSHWICK ACT 2609	Director
	Bryan LEEMING	PO Box 1211 FYSHWICK ACT 2609	Chief Executive Officer
	Shelley MULHERIN	PO Box 1211 FYSHWICK ACT 2609	Principal
	Alisa TAYLOR	PO Box 1211 FYSHWICK ACT 2609	Partner
Chief Executive Officer	Michael HOPKINS	PO Box 1211 FYSHWICK ACT 2609	Chief Executive Officer