



FAIR WORK  
AUSTRALIA

31 October 2012

Mr Jeff Colver  
General Manager Operations  
Master Builders Association of the Northern Territory  
trading as Master Builders Northern Territory  
PO Box 343  
NORTH MELBOURNE VIC 3051

Via fax: (08) 8922 9600

Dear Mr Colver

**Fair Work (Registered Organisations) Act 2009 (RO Act)  
Notification of changes made to the records (AR2012/201)**

I acknowledge receipt of the notifications of Change in Office Holders for your organisation.

This information was lodged pursuant to s.233(2) RO Act with Fair Work Australia on 26 October 2012 and our records have been updated accordingly.

The document can be viewed on the Fair Work Australia website at <http://www.e-aiirc.gov.au/251v/annual>

Thank you for your prompt notification.

Yours sincerely

Liz Mercovich

Regulatory Compliance Branch



ABN:54 527 741 841  
Terminal One Building  
11/396 Stuart Highway  
Winnellie NT 0820  
PO Box 37121  
Winnellie NT 0820  
Telephone: 08 8922 9666  
Facsimile: 08 8922 9600  
Website: [www.mbant.com.au](http://www.mbant.com.au)

22 October 2012

Fair Work Australia  
Annual Return of Information for 2012  
GPO Box 1994  
Melbourne Vic 3001

email to: - [orgs@fwa.gov.au](mailto:orgs@fwa.gov.au)

Dear Sir/Madam

I have pleasure in presenting a copy of various records maintained by the Master Builders Association of the Northern Territory Incorporated for the 30 June 2012 reporting period.

This range of detail is provided pursuant to ss230-233 of the *Fair Work (Registered Organisations) Regulations 2009*.

The Regulations require that certain declaration(s) are required to be made by an elected official of the Association and under those circumstances I have attached a sworn statement drawn up pursuant to the Northern Territory of Australia *Oaths Act* by the President of the Association Mr Dick Guit of PO Box 39062 Winnellie NT 0821.

It would be appreciated if you could examine these documents in due course and advise on any residual action/information required under the Act.

Yours faithfully

A handwritten signature in black ink, appearing to read "Jeff Colver", with a small flourish at the end.

Jeff Colver  
General Manager Operations



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**ANNEXURE 1**

**THE NORTHERN TERRITORY OF AUSTRALIA  
OATHS ACT  
STATUTORY DECLARATION**

I, Dick Guit in my capacity as President of the Master Builders Association of the Northern Territory Incorporated Trading as Master Builders Northern Territory do solemnly and sincerely declare:-

That the information as deposited in this annexure in relation to Information requirements one (1) through to nine (9) inclusive:-

- i) have been extracted from the records of the Association for which I am responsible;
- and;
- ii) are to the best of my knowledge correct accounts of the facts contained in the Association records

**And** I make this solemn declaration by virtue of the *Oaths Act* and conscientiously believing the statements contained in this declaration to be true in every particular.

**Declared at Winnellie NT the 22<sup>nd</sup> day of October 2012**

Person making the declaration.....  .....  
Dick Guit

Signature of witness.....  .....

Witness' contact address and phone..... 3 COPPERFIELD CR., ADULAY,  
DARWIN NT 0812 0431-523 017 .....



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11/396 Stuart Highway  
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Facsimile: 08 8922 9600  
Website: [www.mbant.com.au](http://www.mbant.com.au)

#### Requirement

#### Detail of Requirement

1. Maintenance of Register of Members

A declaration by the secretary or other prescribed officer certifying that the register of members has, during the immediately preceding calendar year, been kept and maintained as required by *ss230(1)(a) and (2) {s233(1)(a)}*

I certify that the register of members has, during the immediately preceding calendar year, been kept and maintained as required by ss 230(1)(a) and 230(2).

#### Requirement

#### Detail of Requirement

2. List of Offices in the organisation

A list of the offices in the organisation and each branch

I advise that the Constitution of the Master Builders Association of the Northern Territory Incorporated Trading as Master Builders Northern Territory provides for three (3) honorary office bearers namely President and two (2) Vice Presidents. They are elected annually, hold office for one (1) year and are eligible for re-election.

Further there are additional positions held which are not classified as office bearers by the strict interpretation of the Constitution that I believe need to be reported on in the spirit of the information provision process.

The position of Treasurer is a non-elected position which is allocated constitutionally to the organisation's CEO who is known under the title of Executive Director within our Organisation.

The management of the Association is vested in a twenty member Council. The Council consists of two members each from the following sectors:-

- General Contracting Sector
- Housing Sector
- Civil/Engineering Sector
- Supply/Manufacturing Sector
- Specialist Contracting Sector;



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who are elected by members of each of the above sectors from members of that sector and nominated from within that sector

In addition ten general councilors are elected by members of the Association from nominations received from all members.

The "office bearers" of President and Two Vice Presidents are selected from these two groups of Councilors.

| Requirement               | Detail of Requirement  |
|---------------------------|--|
| 3. List of Office Holders | A list of the names, postal addresses and occupations of the persons holding the offices |

The following details are provided:-

|                      |  |
|----------------------|--|
| President            | Mr. Dick Guit<br>General Manager – Sitzlers Pty Ltd<br>PO Box 39062, Winnellie NT 0821           |
| Equal Vice President | Mr. Paul Nowland<br>Managing Director-Nowland Builders Pty Ltd<br>PO Box 36130 Winnellie NT 0821 |
| Equal Vice President | Note: A second equal Vice President will be elected at the October Council Meeting               |

| Requirement         | Detail of Requirement                                   |
|---------------------|---|
| 4. List of Branches | A record of the name of each branch of the organisation |

I advise that the Association conducts a single-branch operation in the Northern Territory which is located in Winnellie.

| Requirement     | Detail of Requirement                              |
|-----------------|--|
| 5. New Branches | A record of the name of each branch that commenced |



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operation in the previous 12 months

I advise that the Association has not opened any new branches during the calendar year to 31 December 2011 and that the Winnellie Branch is the sole branch.

Requirement

Detail of Requirement

6. Old Branches

A record of the name of each branch that ceased operation in the previous 12 months.

I advise that no branches ceased operation during the calendar year to 31 December 2011 and that the Winnellie Branch remains the sole branch.

Requirement

Detail of Requirement

7. Address of Organisation and Branches

A record of the address of the office of the organization and the address of the office of each branch

I advise that the address of the only office of the Master Builders Association of the Northern Territory Incorporated Trading as Master Builders Northern Territory is Terminal One Building, 11/396 Stuart Highway, Winnellie NT 0820.

Requirement

Detail of Requirement

8. Elections in Organisation And Branches

A record of each election that must, under the rules of the organization, be held during the year commencing 1 January in the year in which the return is lodged, for any offices in the organization and branches of the organization.

I advise that the following elections must be held and by the following respective date:-

**Election to Office of President:-**



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Nominations open on 1 July and close 10 days before the August Council meeting.

If any election is necessary Council members elect the President-elect at the August meeting.

The President, whenever elected becomes a member of Council without further contest.

#### **Election to Office of (two) Vice Presidents:-**

These two positions are elected from the members of Council in the October meeting; the meeting immediately following the Annual Meeting in September. They too are automatic members of Council.

#### **Election to Office of Ten (10) General Councilors:-**

Nominations shall be called not later than 1<sup>st</sup> August each year for the ten (10) general Council positions.

Nominations close not later than 28 days prior to the Annual Meeting which is required to be held no later than 30 September each year.

If more than the required number of ten (10) nominations is received the Returning Officer shall conduct a secret postal ballot prior to the Annual Meeting and declare the successful candidates at the Annual Meeting.

#### **Election to Office of Ten (10) Sector Councilors**

There are five (5) sectors established by the Constitution for which 2 Sector Councilors are elected directly by each sector. They are:-

- General Contracting Sector
- Housing Sector
- Civil/Engineering Sector
- Supply/Manufacturing Sector
- Specialist Contracting Sector



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Sector elections are held separately at any time prior to the Annual Meeting in September and the 2 Sector Councilors from each of the five sectors thus elected take up their positions on the Council at the Annual Meeting.

### **Election to Office of the Seven (7) Executive Committee Members**

The three office bearers (President and two (2) Vice Presidents) are automatically members of the Executive. The four (4) other members of the Executive Committee are elected at the first meeting (October) following the Annual Meeting in September.

#### **Requirement**

#### **Detail of Requirement**

9. Statement Concerning Number of Members

A record of the number of members on 31 December on the previous year

I advise that the number of members as at 31 December 2011 was 207.

#### **Requirement**

#### **Detail of Requirement**

Number of ineligible members who were ineligible State members within the meaning of s150 of the Act

I advise that the Master Builders Association of the Northern Territory Trading as Master Builders Northern Territory have not entered into any agreements relating to State unions under s151(1) of the RO Act therefore the number of such members is nil.





FAIR WORK  
AUSTRALIA

7 February 2012

Mr Jeff Colver  
General Manager Operations  
Master Builders Northern Territory  
PO Box 37121  
Winnellie NT 0820

Dear Mr Colver,

**Re Section 233(1) of the Fair Work (Registered Organisations) Act 2009  
Master Builders Association of the Northern Territory trading as Master Builders  
Northern Territory – 2012 Annual Return AR2012/396**

Thank you for your declaration dated 13 January 2012 providing information in accordance with section 233(1) of the Fair Work (Registered Organisations) Act 2009. The documents were lodged with Fair Work Australia on 13 January 2012.

The Annual Return has been filed.

The document lodged was of a high standard and complies with the required information for the 2012 Annual Return of the organisation.

We note, however, that the Annual Return for 2011 (AR2011/2711) has not been filed. We request that you provide the required information to Fair Work Australia as soon as practicable.

If you have any further queries on either of the above matters, I may be contacted on (03) 8661 7775 or by email at [sarah.wilkin@fwa.gov.au](mailto:sarah.wilkin@fwa.gov.au).

Yours sincerely,

Sarah Wilkin  
Organisations, Research and Advice

AR 2012/396



**MASTER BUILDERS**  
NORTHERN TERRITORY

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12 January 2012

Fair Work Australia  
Annual Return of Information for 2012  
GPO Box 1994  
Melbourne Vic 3001

email to: - [orgs@fwa.gov.au](mailto:orgs@fwa.gov.au)

Dear Sir/Madam

I have pleasure in presenting a copy of various records maintained by the Master Builders Association of the Northern Territory Incorporated for the 31 March 2012 reporting period.

This range of detail is provided pursuant to ss230-233 of the *Fair Work (Registered Organisations) Regulations 2009*.

The Regulations require that certain declaration(s) are required to be made by an elected official of the Association and under those circumstances I have attached a sworn statement drawn up pursuant to the Northern Territory of Australia *Oaths Act* by the President of the Association Mr Philip Robert Storey of PO Box 37245 Winnellie NT 0821 and witnessed by the writer in his capacity as a Justice of the Peace under Section 7(2) of the *Justices of the Peace Act (NT)*.

It would be appreciated if you could examine these documents in due course and advise on any residual action/information required under the Act.

Yours faithfully

Jeff Colver  
General Manager Operations



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**ANNEXURE 1**

**THE NORTHERN TERRITORY OF AUSTRALIA  
OATHS ACT  
STATUTORY DECLARATION**


I, Philip Robert Storey in my capacity as President of the Master Builders Association of the Northern Territory Incorporated Trading as Master Builders Northern Territory do solemnly and sincerely declare:-

That the information as deposited in this annexure in relation to Information requirements one (1) through to nine (9) inclusive:-

- i) have been extracted from the records of the Association for which I am responsible;
- and;
- ii) are to the best of my knowledge correct accounts of the facts contained in the Association records

**And** I make this solemn declaration by virtue of the *Oaths Act* and conscientiously believing the statements contained in this declaration to be true in every particular.

**Declared at** Winnellie NT the 13<sup>th</sup> day of January 2012

Person making the declaration.....  
  
Philip Robert Storey

Signature of witness.....  
  
Jefferey Frank Colver (JP)

Witness' contact address and phone  
Section 962 Hundred of Goyder  
PO Box 4BatchelorNT 0845  
0427 096 879      Mobile  
08 8922 9666      Work



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#### Requirement

#### Detail of Requirement

1. Maintenance of Register of Members

A declaration by the secretary or other prescribed officer certifying that the register of members has, during the immediately preceding calendar year, been kept and maintained as required by *ss230(1)(a) and (2) {s233(1)(a)}*

I certify that the register of members has, during the immediately preceding calendar year, been kept and maintained as required by ss 230(1)(a) and 230(2).

#### Requirement

#### Detail of Requirement

2. List of Offices in the organisation

A list of the offices in the organisation and each branch

I advise that the Constitution of the Master Builders Association of the Northern Territory Incorporated Trading as Master Builders Northern Territory provides for three (3) honorary office bearers namely President and two (2) Vice Presidents. They are elected annually, hold office for one (1) year and are eligible for re-election.

Further there are additional positions held which are not classified as office bearers by the strict interpretation of the Constitution that I believe need to be reported on in the spirit of the information provision process.

The position of Treasurer is a non-elected position which is allocated constitutionally to the organisation's CEO.

The management of the Association is vested in a twenty member Council. The Council consists of two members each from the following sectors:-

- General Contracting Sector
- Housing Sector
- Civil/Engineering Sector
- Supply/Manufacturing Sector
- Specialist Contracting Sector;



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who are elected by members of each of the above sectors from members of that sector and nominated from within that sector

In addition ten general councilors are elected by members of the Association from nominations received from all members.

The "office bearers" of President and Two Vice Presidents are selected from these two groups of Councilors.

| Requirement               | Detail of Requirement  |
|---------------------------|--|
| 3. List of Office Holders | A list of the names, postal addresses and occupations of the persons holding the offices |

The following details are provided:-

|                |   |
|----------------|---|
| President      | Mr. Phillip Robert Storey<br>NT Manager – Humes Holcim (Australia) Pty Ltd<br>PO Box 37245, Winnellie NT 0821 |
| Vice President | Mr. Paul Nowland<br>Managing Director-Nowland Builders Pty Ltd<br>PO Box 36130 Winnellie NT 0821              |
| Vice President | Mr. Richard Martin Guit<br>Area Manager NT-Laing O'Rourke<br>PO Box 39799 Winnellie NT 0821                   |

| Requirement         | Detail of Requirement                                   |
|---------------------|---|
| 4. List of Branches | A record of the name of each branch of the organisation |

I advise that the Association conducts a single-branch operation in the Northern Territory.

| Requirement     | Detail of Requirement                              |
|-----------------|--|
| 5. New Branches | A record of the name of each branch that commenced |



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operation in the previous 12 months

I advise that the Association has not opened any new branches during the calendar year to 31 December 2011.

| Requirement     | Detail of Requirement  |
|-----------------|--|
| 6. Old Branches | A record of the name of each branch that ceased operation in the previous 12 months. |

I advise that no branches ceased operation during the calendar year to 31 December 2011.

| Requirement                             | Detail of Requirement  |
|---|--|
| 7. Address of Organisation And Branches | A record of the address of the office of the organization and the address of the office of each branch |

I advise that the address of the only office of the Master Builders Association of the Northern Territory Incorporated Trading as Master Builders Northern Territory is Terminal One Building, 11/396 Stuart Highway, Winnellie NT 0820.

| Requirement                               | Detail of Requirement   |
|---|---|
| 8. Elections in Organisation And Branches | A record of each election that must, under the rules of the organization, be held during the year commencing 1 January in the year in which the return is lodged, for any offices in the organization and branches of the organization. |

I advise that the following elections must be held and by the following respective date:-



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### **Election to Office of President:-**

Nominations open on 1 July and close 10 days before the August Council meeting.

If any election is necessary Council members elect the President-elect at the August meeting.

The President, whenever elected becomes a member of Council without further contest.

### **Election to Office of (two) Vice Presidents:-**

These two positions are elected from the members of Council in the October meeting; the meeting immediately following the Annual Meeting in September. They too are automatic members of Council.

### **Election to Office of Ten (10) General Councilors:-**

Nominations shall be called not later than 1<sup>st</sup> August each year for the ten (10) general Council positions.

Nominations close not later than 28 days prior to the Annual Meeting which is required to be held no later than 30 September each year.

If more than the required number of ten (10) nominations is received the Returning Officer shall conduct a secret postal ballot prior to the Annual Meeting and declare the successful candidates at the Annual Meeting.

### **Election to Office of Ten (10) Sector Councilors**

There are five (5) sectors established by the Constitution for which 2 Sector Councilors are elected directly by each sector. They are:-

- General Contracting Sector
- Housing Sector
- Civil/Engineering Sector
- Supply/Manufacturing Sector
- Specialist Contracting Sector



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Sector elections are held separately at any time prior to the Annual Meeting in September and the 2 Sector Councilors from each of the five sectors thus elected take up their positions on the Council at the Annual Meeting.

### **Election to Office of the Seven (7) Executive Committee Members**

The three office bearers (President and two (2) Vice Presidents) are automatically members of the Executive. The four (4) other members of the Executive Committee are elected at the first meeting (October) following the Annual Meeting in September.

#### **Requirement**

#### **Detail of Requirement**

9. Statement Concerning Number of Members

A record of the number of members on 31 December on the previous year

I advise that the number of members as at 31 December 2011 was 207.

#### **Requirement**

#### **Detail of Requirement**

Number of ineligible members who were ineligible State members within the meaning of s150 of the Act

I advise that the Master Builders Association of the Northern Territory Trading as Master Builders Northern Territory have not entered into any agreements relating to State unions under s151(1) of the RO Act therefore the number of such members is nil.





FAIR WORK  
AUSTRALIA

10 January 2012

Mr Phillip Storey  
President  
Master Builders Association of the Northern Territory trading as Master  
Builders Northern Territory  
By email: [ed@mbant.com.au](mailto:ed@mbant.com.au)

Dear Mr Storey,

**Master Builders Association of the Northern Territory trading as Master Builders Northern Territory  
Annual Return of Information for 2012 [AR2012/396]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2012 in respect of the above by **31 March 2012**.

A signed and dated declaration certifying matters prescribed in the *Fair Work (Registered Organisations) Act 2009* [the "RO Act"] must be lodged with Fair Work Australia [FWA] by that date. The matters to be included in the declaration are set out in the attached Checklist.

The declaration must be signed by the secretary, or where applicable, such other elected official who is required under the rules or by resolution of the organisation, to keep the relevant records (the "other prescribed officer"). A declaration signed by a non-elected person does not meet this requirement.

The secretary or other prescribed officer must also notify FWA within 35 days of any changes to such records.

Failure to comply with these obligations is subject to a civil penalty provision – see s305 of the RO Act.

Once an Annual Return or change of records has been lodged, a copy will be posted on the FWA website at [www.fwa.gov.au](http://www.fwa.gov.au) – under *Registered organisations - List of registered organisations*. To protect the privacy of the relevant office holders listed in declarations, you may wish to list their postal, rather than home addresses.

FWA encourages you to lodge all returns electronically (e.g. as pdf files) at [orgs@fwa.gov.au](mailto:orgs@fwa.gov.au). Alternatively, you can forward the documents by fax to (03) 9655 0410.

Please ensure that emailed documents include signatures where required e.g. by scanning the signed documents into a PDF or TIF format.

Please do not hesitate to contact me on (03) 8661 7817 or by e-mail at [robert.pfeiffer@fwa.gov.au](mailto:robert.pfeiffer@fwa.gov.au) if you wish to discuss the requirements outlined in this correspondence.

Yours sincerely,

Robert Pfeiffer  
Organisations, Research & Advice  
Fair Work Australia

## Obligation to lodge Annual Return of Information by 31 March

A copy of each of the following records must be lodged with Fair Work Australia [FWA] between 1 January and 31 March each year. They must be certified by a declaration stating that it is a correct statement of the information contained in that record, signed by the secretary or such other elected official who is required under the rules, or by resolution of the organisation, to keep the relevant records (the "other prescribed officer" see RO Regulation 150).

For full details see ss230-233 of the Fair Work (Registered Organisations) Act 2009 [the "RO Act"], and Regulations 147-151 of the Fair Work (Registered Organisations) Regulations 2009 [the "RO Regulations"].

Failure to comply with these obligations is subject to a civil penalty provision – see s305 of the RO Act.

| Requirement                                   | Details of requirement  |
|---|---|
| <b>Maintenance of Register of Members</b>     | A declaration by the secretary or other prescribed officer certifying that the register of members has, during the immediately preceding calendar year, been kept and maintained as required by ss230(1)(a) and (2)<br>[s233(1)(a)]   |
| <b>List of Offices</b>                        | A list of the offices in the organisation and each branch (note the definition of "office" and "officer" in ss6 and 9)<br>[s230(1)(b)]  |
| <b>List of Office holders</b>                 | A list of the names, postal addresses and occupations of the persons holding the offices (note the definition of "office" and "officer" in ss6 and 9)<br>[s230(1)(c)]   |
| <b>List of Branches</b>                       | A record of the name of each branch of the organisation<br>[s230(1)(d) and reg. 147(a)]   |
| <b>New Branches</b>                           | A record of the name of each branch that commenced operation in the previous 12 months<br>[s230(1)(d) and reg. 147(b)]  |
| <b>Old Branches</b>                           | A record of the name of each branch that ceased operation in the previous 12 months<br>[s230(1)(d) and reg. 147(c)]   |
| <b>Addresses of Organisation and Branches</b> | A record of the address of the office of the organisation and the address of the office of each branch<br>[s230(1)(d) and reg. 147(d)]  |
| <b>Elections in Organisation and Branches</b> | A record of each election that must, under the rules of the organisation, be held during the year commencing 1 January of the year in which the return is lodged, for any offices in the organisation and branches of the organisation.<br>[s230(1)(d) and reg. 147(e)]<br><b>Note:</b> this provision does not relieve an organisation or branch from the separate requirement to lodge prescribed information prior to each election, as required by s189 of the RO Act                                   |
| <b>Statement concerning number of members</b> | <ul style="list-style-type: none"> <li>• A record of the number of members on 31 December in the previous year, and:</li> <li>• if the organisation has entered into an agreement relating to members of State unions under s151(1) of the RO Act - a record of the number of members of the organisation who were (on 31 December in the previous year) ineligible State members in relation to the organisation within the meaning of s150 of the RO Act.</li> </ul> [s230(1)(d) and reg. 147(f) and (g)] |

## Obligation to notify of changes within 35 days

If there are any changes during the year to the list of offices, list of officeholders, list of branches (where relevant) and the address of the organisation and/or its branches an organisation must, within 35 days of the change, lodge with FWA, a notification of such changes certified by declaration signed by the secretary or other prescribed officer of the organisation to be a correct statement of the changes made [RO Act s233(2) and RO reg. 151 refer].

