



## Update - December 2021

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### TasBuild Statistics

#### Entitlements

A comparison of the last 5 financial years of entitlements paid and the value of these:

<b>2020/2021</b>	1450	\$11 271 million
<b>2019/2020</b>	1167	\$10 357 million
<b>2018/2019</b>	1040	\$8 829 million
<b>2017/2018</b>	967	\$7 886 million
<b>2016/2017</b>	834	\$6 632 million

This is over a **70%** increase from 2016/17 to 2020/21 in the total number of entitlements paid as well as the monetary value of these.

#### **Total Entitlements paid:**

#### 2017—2021

5458      \$44 975 million

#### 2012—2016

3601      \$28 055 million

This is a **50%** increase in the number of entitlements paid from 2012—2016 compared to 2017—2021 and a **60%** increase in the value of the entitlements paid.

### **Merry Christmas**

On behalf of the Chairman, Board Members and Staff at TasBuild I would like to welcome all new Employers to the fund and to thank all members for your support during the past year. I would also like to take this opportunity to wish you and your loved ones a Merry Christmas and a safe, happy and prosperous New Year.

The TasBuild Office will be closed from 12.00pm Friday 24th December 2021 and will reopen on Tuesday 4th January 2022 at 8.30am.

Best wishes for the season and we look forward to assisting you in 2022.

**Michael Irwin CEO**

### **Return Lodgements over Christmas**

In keeping with previous years we will be taking a lenient approach to the lodgement of your December 2021 Employer Return, due on the 14th January 2022.

Whilst we would encourage where possible for Employers to lodge their returns by the due dates, we do understand that the Construction Industry does traditionally close over Christmas and we therefore appreciate that many of you will be taking a well deserved break through this time. We will therefore be allowing a level of leniency where the December return is lodged after the 14th January 2022.

Please note this leniency does not extend to Late Payments and/or Returns that are due or overdue for prior months and also for Employers that have a poor history of lodgement and/or payment of returns.

### **Public Holiday's—TasBuild's Obligations**

TasBuild processes entitlement claims and pays individuals to fund long service leave for the number of days applied for. How the worker utilises the payment is their decision.

The Employer still has the responsibility for managing the leave of the Employee, not TasBuild. If a public holiday falls in that period of leave it is the Employer's responsibility to comply with Fair Work Australia requirements as the Employer has the employment relationship with the worker, not TasBuild.

## ***Change of Entity/Structure in your Business***

If your business has had or is going to have a change of structure which involves a new ABN you will need to contact us to update your details so that a new file can be generated for this entity.

Failure to update these details with us could potentially mean the ATO will not acknowledge the taxation deductions claimed for the Long Service Charges paid for workers via your former entity and you may be penalised by the ATO.

One example of this is an entity set up as a Sole Trader (self-employed) and then they register as a Company and operate under a new ABN. In this circumstance the new Company (operating under a new ABN), would need to be registered with TasBuild and if there are any employees they will need to be transferred to the new Company. If the business owner (previously Sole Trader) is employed by the Company in relevant employment they will also have to be added as an employee and contributions will need to be made for them.

If you are uncertain about any changes you have made in your business and whether these need to be updated with TasBuild please do not hesitate to contact us and we would be happy to assist you.

## ***Business Structures and Long Service Commitments***

### **Sole Traders/Self Employed**

A Sole Trader or Self-Employed person is not an employee but they may employ workers.

### **Partnership**

Partners are not employees but may employ workers.

### **Family or Unit Trusts**

Trustees and beneficiaries may be employees and they may also employ other workers.

### **Companies**

Directors or owners may be employees and they may also employ other workers.

### **Who must be contributed for?**

The first requirement is that the employee must be paid a wage that in accordance with Australian Tax Office (ATO) requirements should be subject to the deduction of Pay as You Go (PAYG) income tax deductions.

The final requirement is whether staff are undertaking relevant employment in the building and construction industry in Tasmania.

If workers including trustees, beneficiaries and directors receive wage payments that are subject to PAYG and are for undertaking relevant employment then they must be registered, included on the monthly returns and contributions must be paid to TasBuild on their behalf.

If you have any further queries a TasBuild staff member will be only too happy to assist you. Please contact us via email at [secretary@tasbuild.com.au](mailto:secretary@tasbuild.com.au) or phone (03) 6294 0807.