



**ASSURANCE**  
*Fair Trading Act 1987*  
Section 79

Assurance to the Commissioner for Consumer Affairs given for the purposes of s79 of the *Fair Trading Act 1987* by:

**Miroljub Milutinovic and Snezana Milutinovic (ABN 26 513 004 979)**

**1. PERSONS GIVING THIS ASSURANCE**

1.1. This Assurance is given to the Commissioner for Consumer Affairs by Miroljub Milutinovic and Snezana Milutinovic of 57 Golflands View, Morphett Vale, in the State of South Australia, for the purposes of section 79 of the *Fair Trading Act 1987*.

**2. BACKGROUND**

- 2.1. "M & S Milutinovic" holds the ABN 26 513 004 979, and is a family partnership.
- 2.2. Miroljub Milutinovic and Snezana Milutinovic are natural persons, and the partners of "M & S Milutinovic".
- 2.3. At the relevant times Miroljub Milutinovic and Snezana Milutinovic held licences authorising them to contract, in partnership, for domestic building work within South Australia.

**3. CONDUCT OF CONCERN**

- 3.1. During 2017 Miroljub Milutinovic and Snezana Milutinovic performed domestic building work (speculative) at 16, 16A & 16B Argyle Avenue, Morphett Vale in South Australia, without a policy of insurance complying with Division 3 of the *Building Work Contractor's Act 1995* (the BWC Act), in force.
- 3.2. During 2017 Miroljub Milutinovic and Snezana Milutinovic performed domestic building work (speculative) at 117A Gallaway Road, Morphett Vale in South Australia, without a policy of insurance complying with Division 3 of the BWC Act, in force.

**4. CONTRAVENTIONS**

As a result of the matters outlined above, the Commissioner considers, and Miroljub Milutinovic and Snezana Milutinovic acknowledge it is likely that they have:

- 4.1. Performed domestic building work at 16, 16A & 16B Argyle Avenue, Morphett Vale in South Australia, without a policy of insurance complying with Division 3 of the BWC Act in force, and therefore contravened section 34(a) of the BWC Act.
- 4.2. Performed domestic building work at 117A Gallaway Road, Morphett Vale in South Australia, without a policy of insurance complying with Division 3 of the BWC Act in force, and therefore contravened section 34(a) of the BWC Act.

**5. COMMENCEMENT OF ASSURANCE**

This Assurance comes into effect when:

- 5.1 The Assurance is executed by Miroљub Milutinovic and Snezana Milutinovic; and
- 5.2 The Commissioner for Consumer Affairs accepts the assurance so executed.

**6. ASSURANCE BY MIROљUB AND SNEZANA MILUTINOVIC GIVEN FOR THE PURPOSES OF SECTION 79 OF THE *FAIR TRADING ACT 1987***

In response to the concerns raised by CBS on behalf of the Commissioner for Consumer Affairs, Miroљub Milutinovic and Snezana Milutinovic hereby provide an Assurance to the Commissioner that:

- 6.1.1 They will not perform domestic building work to which Division 3 of the BWC Act applies unless a policy of insurance that complies with Division 3 of the BWC Act is in force in relation to that building work.

**7. ACKNOWLEDGMENTS**

Miroљub Milutinovic and Snezana Milutinovic acknowledge that:

- 7.1. It is an offence to breach an Assurance, as set out in section 81 of the *Fair Trading Act 1987*.
- 7.2. Miroљub Milutinovic and Snezana Milutinovic have retrospectively obtained policies of insurance that comply with Division 3 of the BWC Act for the properties listed in section 3 of this Assurance, and have provided the current owners of those properties with a certificate that evidences the taking out of those policies of insurance.
- 7.3. CBS will make this Assurance publicly available including by publishing it on CBS' public register of undertakings on its website;
- 7.4. CBS may, from time to time, make public reference to the Assurance including in news media statements and in CBS publications; and
- 7.5. This Assurance in no way derogates from the rights and remedies available to any other person arising from the alleged conduct.
- 7.6. This Assurance may be produced to any Court in respect of any proceedings alleging any future contraventions of the *Fair Trading Act 1987* or a related Act.

**EXECUTED BY Mr Miroљub Milutinovic**

  
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**Mr Miroљub Milutinovic**

Date: 19/3/2019

  
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**Signature of Witness**

MIROљUB MILUTINOVIC

**EXECUTED BY Ms Snezana Milutinovic**

  
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**Ms Snezana Milutinovic**

Date: 19/3/2019

  
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**Signature of Witness**

MILOS MILUTINOVIC

Accepted by the Commissioner for Consumer Affairs (SA) pursuant to s79 of the *Fair Trading Act 1987*

  
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**Commissioner for Consumer Affairs (SA)**

Date: 21/3/19