



**HAMILTON**MARINO

# MODERN SLAVERY STATEMENT



**2022 / 2023**

This Modern Slavery Statement (**Statement**) is made pursuant to the *Modern Slavery Act 2018* (Cth) (**Act**) for the financial year ended 30 June 2023.

## REPORTING ENTITY

This is a joint Statement made on behalf of Hamilton & Marino Holdings Pty Ltd (ACN 145 812 228) and its associated entities over which Hamilton & Marino Holdings Pty Ltd has control (as determined in accordance with the Australian Accounting Standards).

For the purposes of this statement, Hamilton & Marino Holdings Pty Ltd and its associated entities are referred to as **Hamilton Marino**.

References in this Statement to a 'year' relate to the financial year ending 30 June 2023.

At Hamilton Marino, we pride ourselves on our strong working relationships with our clients, subcontractors and suppliers, and our hands-on directors are involved in every part of the business, including our supply chain. Hamilton Marino has always been and remains committed to ensuring fair and equitable practices are upheld throughout its supply chain, and to taking proactive and effective action to identifying and avoiding or mitigating the risks of modern slavery practices occurring.

Since becoming aware of its reporting obligations under the Act in the financial year ending 30 June 2021 and consistent with the aforementioned commitment to fair and equitable practices, Hamilton Marino has been proud to confirm the active steps it takes on a day-to-day basis to avoid the risks of modern slavery practices in its operations and supply chain.

## OUR STRUCTURE AND OPERATIONS

Established in 1975, Hamilton Marino is a privately-owned, dynamic multilevel apartment and commercial construction company.

Our value-added operational model and a reputation built on providing expertise, quality and certainty has made us an innovative industry leader.

Clients rely on us to be cost effective and our inhouse design capabilities, expertise at all stages of a project and rigorous monitoring of expenditure ensure budgets are controlled, always. We have a proud history of large-scale construction across many sectors including multi-residential developments, office construction and fit-out, retail fit-out, hospitality, warehouse and factory construction.

The company has continued to grow on the back of repeat clients, increased project size, prudent financial management and an unwavering commitment to the delivery of all our projects. Our passion, culture, reputation and integrity have attracted a highly skilled, driven team of over 200 like-minded people.

We are proud of the buildings we have contributed to the communities and cities around the country and beyond, and are excited about creating productive and inspiring places in the future.

The strength of our reputation and performance is underpinned by the commercial and administrative procedures that we follow on all projects.

We apply rigour to every aspect of our business by embracing leading technology, online programs and implementing best practice systems. Examples of which are our customised Safety Management Systems, our ASNZ Accreditation and our Design Management Systems.

Accurate up-to-date reporting is key to remaining vigilant against risks in the construction industry, such as those relating to modern slavery practices, as well as to cost control and maintaining excellence in everything we do. Document management and control systems via Aconex online are an important part of this process.

Our stringent and effective systems have been integral to Hamilton Marino enjoying 20+ years of continuous growth, regardless of economic conditions. The confidence and respect of repeat clients, organic growth of project sizes, strategic long-term planning and prudent financial planning have played an important part in our consistently strong balance sheet.

## CONSULTATION WITH CONTROLLED ENTITIES

The associated entities that are part of the Hamilton Marino group carry out the same or similar operations and are largely managed by the same representatives. As such, each entity has intrinsically been consulted with and has provided input in Hamilton Marino's approach to modern slavery and the preparation of this Statement.

This consultation has extended to:

- regular discussions with key stakeholders and departments within Hamilton Marino, including directors, procurement, commercial and legal;
- receiving input and approval from these key stakeholders and departments (covering all the associated entities) in relation to the adoption of our Modern Slavery Policy and this Statement, particularly in respect of procurement and delivery;
- continuing to liaise directly with and carrying out ongoing due diligence into one of our key suppliers which sources its products and materials off-shore, Yintec (Australia) Pty Ltd, specifically in relation to their operations, supply chains and working conditions offshore.

Our modern slavery working group includes representatives involved in legal, procurement, and from key suppliers responsible for off-shore procurement, such as Yintec as listed above.

This close relationship ensures we have fully transparency over Hamilton Marino operations and those of one of our key suppliers, so that we can maintain confidence that its operations are free from modern slavery practices.

## SUPPLY CHAIN

Being a design and construct builder, Hamilton Marino has a complex and diverse global supply chain. We involve international procurement as part of the delivery strategy for our projects, with our supply chain including the design, manufacture and supply of a number of products we use in our construction projects.

In the past year, Hamilton Marino has worked with hundreds of different suppliers, ranging from small privately run businesses to multinational companies.

The key trades include:

- excavation and site retention works;
- structural works, including concreting works, precast panel supply and façade-element supply;
- joinery and carpentry works;
- engineering services and works, including hydraulic, electrical, mechanical and fire;
- façade supply;
- civil and landscaping works;
- supply of plant and equipment;
- hire of constructional plant and equipment.

The key international procurement items include:

- lifts and other key plant;

- façade;
- joinery;
- precast panels.

In addition to the above, Hamilton Marino also sources goods and services for a range of ancillary and contributory providers, such as labour hire, stationary, uniforms, cleaners, personal protective equipment and the like.

Most of our suppliers are based in Australia (which is considered a low modern slavery risk country), however it is possible that they (like Hamilton Marino) rely on overseas suppliers themselves. Our initial and ongoing desktop risk assessment into our extended supply chain has assisted Hamilton Marino to better understand the operations of our local and overseas suppliers.

Of our overseas suppliers, which are predominately based in China, we have sought to minimise the overall number of suppliers and they are generally for higher value items. We also seek to maintain ongoing and enduring working relationships with the same supplier or suppliers, so that we can continue to build on our due diligence into their operations. These factors assist our ability to closely monitor their operations and ensure we are working with reputable and trusted partners. We also establish and maintain strong and close working relationships with our suppliers to ensure the best practices are followed. As referred to above, we liaise directly with our overseas suppliers such as Yintec in relation to their operations to ensure they maintain their commitment to fair and equitable practices.

## **RISK OF MODERN SLAVERY PRACTICES**

Hamilton Marino understands that there is a risk of modern slavery practices occurring in its operations and supply chain, resulting in Hamilton Marino either causing, contributing to, or being directly or indirectly involved in or linked to modern slavery practices.

While key risks include the business' use of overseas procurement, modern slavery practices are broad and extend to risks to people in all marketplaces. Such risks are complicated, evolving and at times invisible, meaning that Hamilton Marino must remain vigilant and regularly assess these risks.

## **ACTIONS TAKEN TO ADDRESS MODERN SLAVERY RISKS**

Hamilton Marino is committed to engaging only those suppliers that uphold the same principles as Hamilton Marino, and where necessary, implementing corrective measures. We work closely with our subcontractors and essential suppliers to ensure an open and collaborative approach at all levels of our business.

### Policies

All Hamilton Marino employees, subcontractors and suppliers are required to adhere to our Modern Slavery Policy, which sets out the minimum standards of behaviour and conduct that Hamilton Marino expects its suppliers to meet in respect of modern slavery.

This policy also sets out an obligation to report on any non-compliance with the policy and empowers Hamilton Marino to require any non-compliances to be rectified.

### Tendering and engagement

As part of our tender and engagement process, all subcontractors and suppliers are required to:

- complete a pre-qualification questionnaire, which includes questions which seek to detect a supplier's risk of modern slavery practices within either their own operations or those of their supply chain;
- submit a tender which complies with all applicable laws, standards and regulations, including those relating to modern slavery;

- be engaged under Hamilton Marino's standard terms and conditions (subject to negotiations agreed between the parties) which require:
  - compliance with all applicable laws, standards and regulations, including those relating to modern slavery;
  - the subcontractor or supplier to affirm that they have no knowledge of any modern slavery practices occurring within their organisation or supply chain, that they take steps to identify any such practices and will notify Hamilton Marino if they become aware of any;
- complete a post-award questionnaire via our online safety software platform which requires them to re-affirm their compliance with all applicable laws, standards and regulations, including those relating to modern slavery.

## Desktop risk assessment

We maintain an ongoing desktop risk assessment of our suppliers to continually build on our understanding of their operations and supply chains (including our own). This desktop risk assessment seeks to identify those products and services in our operation and supply chain which might involve risks of modern slavery, assist us in identifying potential risk exposures and where possible take steps to better understand, avoid and mitigate those risks. This assessment aims to determine the country of origin of all goods sourced by Hamilton Marino and its suppliers, and the types of those products and materials.

## Strengthening contracts

Hamilton Marino's agreements have been updated to include specific provisions relation to modern slavery, requiring the subcontractor or supplier to:

- comply with all modern slavery laws;
- acknowledge that they have no knowledge of any modern slavery practices occurring;
- take all reasonable steps to confirm that it is not engaging in any modern slavery practices
- notify Hamilton Marino upon becoming aware of any modern slavery practices.

We are currently updating our Supply Agreements (in addition to other agreements such as our major works subcontract) in line with the above.

## Training

Hamilton Marino carries out educational training on a periodic and as-needed basis to senior management and those overseeing procurement to improve staff awareness of modern slavery risks, and how to identify and address any concerns regarding modern slavery practices when assessing a supplier's actions and behaviour.

## Remediation processes

Where Hamilton Marino identifies that there is or may be a risk of modern slavery practices, Hamilton Marino's response will include:

- gathering further information to better and more fully understand the potential modern slavery risk;
- taking steps to ensure that any potential harm caused by the modern slavery risk is avoided or, if it has occurred, mitigated and won't occur again;
- communicating the modern slavery risk with the appropriate authorities;
- taking the necessary steps to ensure that the circumstances which caused or contributed to the modern slavery risk won't occur again.

## Supplier case studies

As mentioned above, Hamilton Marino seeks to foster ongoing and enduring relationships with its key offshore suppliers so that it can continually build on its working relationship with them, as well as its due diligence into the operations.

A key supplier of Hamilton Marino is Yintec (Australia) Pty Ltd who sources its goods and materials from China, which remains a jurisdiction at inherent risk of modern slavery practices.

Hamilton Marino's due diligence into Yintec has confirmed that:

- a Yintec representative regularly travels from Australia to China to inspect its factory partners in China in person;
- these inspections will occur at least once every two months and are often carried out more frequently (for example, in the last 4 months of the year a representative visited China to inspect Yintec's partner factories 5 times);
- Yintec has 2 primary window suppliers and 1 primary joinery supplier;
- in respect of its window suppliers:
  - Yintec will inspect the factories for each of the components of the window system, including the glass manufacturer, the aluminium plants, the assembly plants and where the goods are loaded into their containers;
- in respect of its joinery supplier:
  - Yintec's joinery supplier is the largest joinery supplier in China, Z Bon;
  - Z Bon has 10 x 40,000 sqm factories, all of which ascribe to high standards of safety and employee welfare, and some of which are automated factories;
- in respect of all of its suppliers, Yintec's on site inspections has allowed it to confirm that each supplier maintains high standards of safety and employee welfare, treats their employees with dignity and respect, and are properly run and legitimate businesses;
- where Yintec has been unable to inspect a factory or potential new supplier's factory personally, it has engaged a third party inspection company to do their own assessment on the factory and provide a factory inspection report to confirm that their practices are legitimate and above-board.

Yintec has provided Hamilton Marino with photos from its factory inspections in China in June 2023, a selection of which are set out in the **Appendix** to this Statement.

Hamilton Marino continues to foster and develop its working relationship with Yintec and its other offshore suppliers to ensure it is able to be confident of the matters above.

## **MEASURING EFFECTIVENESS**

Hamilton Marino's monitors and measures the effectiveness of the actions it is taking to assess and address risks of modern slavery through both formal and informal auditing at various levels of its business. This is particularly effective at Hamilton Marino given the hands-on approach adopted by our directors, who are involved in each project through every stage of its life cycle, including procurement.

Subcontractor compliance questionnaires are required during tendering and engagement on our projects to ensure our subcontractor and suppliers maintain their awareness and vigilance against modern slavery practices. As these are required prior to start-up on every project, they are an effective tool at maintaining ongoing compliance.

Hamilton Marino's modern slavery working group works to implement and monitor its actions taken, including to ensure Hamilton Marino's effectiveness in combatting modern slavery practices.

Hamilton Marino is pleased to confirm that its actions taken have been effective and that it has not identified any instances or suspected instances of modern slavery throughout the year.

## THE PATH FORWARD

Hamilton Marino understand that, while it has not encountered any instances or suspected instances of modern slavery, it must remain vigilant against identifying and avoiding or mitigating the risks of modern slavery practices. Into the future, Hamilton Marino will continue to focus on:

- utilising our modern slavery working group to implement and monitor our actions taken to address modern slavery risks;
- reviewing and updating our suite of risk-focused policies and procedures;
- monitoring compliance throughout the business with our tender and engagement processes to ensure our requirements in respect of modern slavery risks are being adhered to;
- continuing and maintaining our desktop risk assessments of our suppliers;
- continuing to provide educational training to senior management and those overseeing procurement to improve staff awareness of modern slavery risk;
- continuing our learning and consultation with industry bodies, suppliers, and other stakeholders to develop best practice approaches;
- exploring what additional steps we may take to address modern slavery risks, such as engaging third party providers such as *Informed 365* or the *Supply Chain Sustainability School*.

This Statement was approved by the board of directors of Hamilton & Marino Holdings Pty Ltd as the relevant principal governing body for Hamilton Marino in accordance with section 14 of the Act.



Matthew Green  
Director  
**Hamilton Marino**

January 2024

## Appendix – Photos from Yintec factory inspections in China

Inspection of Broad Windows and Doors and Curtain Wall Co.,Ltd – Windows – on or about 5 June 2023:





Inspection of TAWS- The Aluminum Windows & Curtain Wall System – Windows – on or about 5 June 2023:





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Inspection of ZBOM Home Collection Co.,LTD – Joinery – on or about 5 June 2023:

