

Annexure A

COMPETITION AND CONSUMER COMPLIANCE PROGRAM

LEVEL 1

[COMPANY NAME] and [DIRECTOR'S NAME] will establish a Competition and Consumer Compliance Program (**Compliance Program**) that complies with each of the following requirements:

Training

1. Within [x] months of this Undertaking coming into effect, and thereafter at least once a year for [x] years, [DIRECTOR'S NAME] will attend practical training focusing on [INSERT: *relevant sections or parts*] of the Competition and Consumer Act 2010 (the CCA).
2. [COMPANY NAME] will ensure that the training referred to in paragraph 1 above is administered by a suitably qualified compliance professional or legal practitioner with expertise in competition and consumer law (**the Trainer**).

Complaints handling

3. Within [x] months of this Undertaking coming into effect, [COMPANY NAME] will develop procedures for recording, storing and responding to competition and consumer law complaints.

[INSERT 4. **ONLY IF THE MATTER IS RELATED TO PRODUCT SAFETY ISSUES**]

Product safety

4. [COMPANY NAME] will maintain up-to-date copies, at its business premises, of all consumer product safety standards and consumer information standards made or declared under the Australian Consumer Law (**ACL**), schedule 2 to the CCA that relate to products [COMPANY NAME] supplies (**the Standards**).
5. [COMPANY NAME] will ensure that the products supplied that are subject to the Standards comply with the relevant standard.
6. [COMPANY NAME] will develop, implement and maintain recall procedures that enable products supplied by [COMPANY NAME] that do not comply with the Standards to be efficiently and effectively withdrawn from the market and returned to [COMPANY NAME].

Provision of Compliance Program documents to the ACCC

7. [COMPANY NAME] will maintain a record of and store all documents relating to and constituting the Compliance Program for a period not less than [x years – being the number of years compliance training is required and an additional 2 years following that period].

8. If requested by the ACCC during the period of the Undertaking or [x years - being the number of years compliance training is required and an additional 2 years following that period] [COMPANY NAME] will, at its own expense, cause to be produced and provided to the ACCC copies of all documents constituting the Compliance Program, including:
 - 8.1.1. a written statement or certificate from the Trainer who conducts the training referred to in paragraph 1, verifying that such training has occurred;
 - 8.1.2. an outline of the complaints handling system referred to in paragraph 3; and
 - 8.1.3. an outline of the recall procedures referred to in paragraph 6.