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Darrell Channing
Director
Adjudication Branch
Australian Competition & Consumer Commission
23 Marcus Clarke Street Canberra 2601

July 27, 2018

Dear Mr Channing

Homeworker Code Committee's application for revocation of authorisations A91354-A91357 and substitution of new authorisation AA1000418—response to draft determination

The Homeworker Code Committee (HWCC) thanks the Australian Competition & Consumer Commission for the draft determination delivered on July 6, 2018.

The HWCC is pleased with the proposal to grant authorisation for five years to permit the continued operation of the Code and the acceptance of the changes, as varied.

The draft determination has been reviewed and the Homeworker Code Committee has no further comments to make in regards to the draft determination, except for technical clarifications.

1. The summary of the draft determination notes: *The most substantial being the removal of several statutory declarations confirming whether businesses utilise homeworkers and recording details around their employment.* Currently, the use of the statutory declarations is not confined to homeworkers alone. The statutory declarations are for the principal companies, regardless if the company gives out work or not, and for all subsequent contractors in the supply chain who are given work (which may or may not include homeworkers). See paragraphs 15, 27 and 192 of the original application.
2. On page 1 of the draft determination it notes: *Yearly compliance auditing of retail signatories' and accredited suppliers' supply chains by the Construction, Forestry, Maritime, Mining and Energy Union of Australia (the Union).* The process for retail signatories is different to accredited manufacturers, in that Part 2 of the Code of Practice does not require yearly compliance audits to be undertaken. The framework for retail signatories is different because it is based on producing a list of suppliers, acting upon any legal breaches or concerns raised by the Union, and promoting and encouraging ECA accreditation with local suppliers. See paragraph 16 which summaries the full range of obligations in relation to this part of the Code of Practice, as well as Appendix 2 of the original application.

3. Paragraph 19 of the draft determination refers to the "Textile, Clothing and Footwear Award 2010" instead of the Textile, Clothing, Footwear and Associated Industries Award 2010 (TCF Award). This Award is noted in paragraph 64 of the original application.

The HWCC would appreciate the opportunity to respond, if desired, to any responses from interested parties as part of this draft determination consultation process. Otherwise, we shall await further advice in regards to the process for the final determination.

Yours sincerely



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