

**From:** [REDACTED]  
**To:** [Andrew Ng](#)  
**Cc:** [Tess Macrae](#); [Surina Sood](#); [REDACTED]  
**Subject:** RE: RCSA authorisation - ACCC request for further information [SEC=OFFICIAL] [ACCC-ACCCANDAER.FID3809680]  
**Date:** Monday, 15 April 2024 1:25:15 PM  
**Attachments:** [image003.png](#)  
[image004.png](#)  
[image005.gif](#)  
[image006.jpg](#)

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Dear Andrew,

Lovely to hear from you and thank for your email.

Please see below, the responses to the questions you posited:

**1. Has RCSA imposed any sanctions on its members under authorisation AA1000435? If so, provide a brief description of the sanctions imposed?**

RCSA has not had to impose sanctions on any member during the period of the current authorisation. However, faced with the threat of sanctions (including possible suspension or expulsion), some members have chosen:

- to adopt Professional Conduct Recommendations, resolve grievances, or enter into undertakings with RCSA, resulting in refunds and recoveries for grievants and workers totalling well in excess of \$1 million;
- to surrender or lapse their membership, or have voluntarily withdraw from programs for which compliance with the Code was a requirement. Members who have surrendered or lapsed their memberships may be refused membership should they seek to rejoin at a later time unless outstanding professional conduct matters have been resolved.

Details are included in the Summary of PCGIG Interventions 2019 - 2023 included as Attachment F to RCSA's application for authorisation.

**2. Has RCSA used the protection provided by authorisation to refuse membership to applicants that it does not consider suitable for membership?**

During the period of the current authorisation:

- One applicant for membership withdrew their application when it emerged that it had allegedly falsified employment records and made unauthorised deductions totalling tens of thousands of dollars from the wages of numerous cleaners. At the point of withdrawal, the application was scheduled for review by the RCSA Board, with rejection appearing imminent.
- Another applicant (a NZ company) had its application for membership rejected when it emerged that it had placed visa workers in positions in breach of their visa

conditions.

If you would like specific examples relating to anything mentioned above, we are happy to provide it.

Please do not hesitate to contact us for any additional information.

Best wishes,

[Lily Andrews](#)

Advocacy & Professional Standards Manager

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**From:** Andrew Ng <Andrew.Ng@acc.gov.au>

**Sent:** Friday, April 12, 2024 11:19 AM

**To:** Lily Andrews [REDACTED]

**Cc:** Tess Macrae <tess.macrae@acc.gov.au>; Surina Sood <surina.sood@acc.gov.au>; [REDACTED]

**Subject:** RCSA authorisation - ACCC request for further information [SEC=OFFICIAL] [ACCC-ACCCANDAER.FID3809680]

Hi Lily

The initial public consultation process for RCSA's application has ended and we did not receive any submissions from interested parties.

However, we do have some follow up questions for RCSA regarding the application. Could you please provide a response to the following:

- Has RCSA imposed any sanctions on its members under authorisation AA1000435? If so, provide a brief description of the sanctions imposed.
- Has RCSA used the protection provided by authorisation to refuse membership to applicants that it does not consider suitable for membership?

Please note that your response will be placed on the public register, subject to any request for exclusion you may make.

We would appreciate a response by COB **15 April 2024**. Please let us know if this timing presents any difficulties.

Kind regards,  
Andrew

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**Andrew Ng** *(he/him)*

Senior Analyst | Competition Exemptions | Mergers Exemptions and Digital Division

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The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.

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