

Atkin, Hew

From: Helena Spyrou [hspyrou@tcfvic.org.au]
Sent: Wednesday, 16 November 2005 5:21 PM
To: Atkin, Hew
Cc:

Subject: Homeworkers Code of Practice Committee Inc Application for Authorisation - Draft Determination

Dear Hugh

On behalf of the Homeworkers Code of Practice Committee, I am responding to the Homeworkers Code of Practice Committee Inc. Application for Authorisation -- Draft Determination.

In a letter dated 26 October 2005, Scott Gregson requested that the Homeworkers Code of Practice Committee define what constitutes "unsatisfactory compliance" in relation to reaccreditation.

Clause 6 of the Homeworkers Code of Practice Part 2 (the 'Suppliers Agreement') currently states the following:

"Reaccreditation will be automatic based on the provision of either updated standard Statutory Declarations as set out in Schedules 3A, 4, 5 and 6 of this agreement or if manufacturers circumstances under their current application has not changed as set out in Schedule 10 of this agreement, unless it can be demonstrated that the manufacturer does not have a satisfactory compliance record".

The Code Committee would like to confirm that an amendment to this statement is intended to be made in order to define what constitutes "unsatisfactory compliance".

The proposed amendment will read as follows:

"Reaccreditation will be automatic based on the provision of either updated standard Statutory Declarations as set out in Schedules 3A, 4, 5 and 6 of this agreement or if manufacturers circumstances under their current application has not changed as set out in Schedule 10 of this agreement, unless it can be demonstrated that the manufacturer does not have a satisfactory compliance record.

A manufacturer's compliance record would be deemed "unsatisfactory" at the time of reaccreditation if the manufacturer:

- has failed to provide all relevant statutory declarations which comply with any or all of the criteria listed in Clause 6 of the Suppliers Agreement
- has provided false information in relation to the provision of statutory declarations which comply with any or all of the criteria in Clause 6 of the Suppliers Agreement
- has failed to comply with Clauses 46, 47 and 48 and other relevant provisions of the *Clothing Trades Award 1999* and all relevant State legislative obligations in relation to outworkers".

The Homeworkers Code of Practice Committee is meeting on 24 November 2005. The Code Committee will consider this proposed amendment. The Code Committee will inform the ACCC of the exact wording of the amendment before the end of November 2005.

Should any additional information be required, please contact me (details below).

The Code Committee looks forward to receiving the final determination on this matter in due course.

18/11/2005

Yours sincerely

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