

Our Ref: A91354 - A91357
Contact Officer: Tanya Hobbs
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**Australian
Competition &
Consumer
Commission**

21 June 2013

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Mr Simon McRae
National Manager
Ethical Clothing Australia

By email: Simon@ethicalclothingaustralia.org.au

Dear Mr McRae

Homeworker Code Committee Incorporated - Revocation & Substitution - A91354 - A91357 - draft determination

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by Homeworker Code Committee Incorporated (the Code Committee) on 21 February 2013 (as amended).

Draft determination

A copy of the ACCC's draft determination and summary of its reasons is attached. For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for five years.

In the context of the concerns expressed in submissions, the ACCC invites further submissions from the Code Committee and other interested parties regarding:

- a) whether the Code's dispute resolution mechanisms should be broadened to include all potential stakeholders in the Code and whether there is a practical means of doing so; and
- b) the feasibility and utility of including provision under the Code for an alternative auditor to the TCFUA, with the cost of the auditor to be met by the audited business.

Next steps

Once the ACCC issues a draft determination, the Applicant or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'. Please see the ACCC's publication [Authorisation process - the basics](#) for a summary of the authorisation process and how to make a submission to the ACCC.

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **8 July 2013**.

A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion. If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by **5 July 2013**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications.

Submissions will be placed on the ACCC's public register subject to any request for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

Timetable

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

Indicative date	Stage in assessment process
21 February 2013	Lodgement of application and supporting submission.
25 February 2013	Public consultation process regarding interim authorisation begins.
5 March 2013	Applicant amends its authorisation application to seek authorisation for a revised version of the Homeworkers Code of Practice.
6 March 2013	ACCC decision regarding interim authorisation of the Homeworkers Code of Practice in the form previously authorised.
15 March 2013	Public consultation process regarding the substantive application for authorisation of the revised Homeworkers Code of Practice.
21 June 2013	Draft determination issued.
June/early July 2013	Public consultation on draft determination including any conference if called.
15 July 2013	Any response by Applicant to interested party submissions.
August 2013	Final determination.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter please do not hesitate to contact Tanya Hobbs on 02 6243 1029.

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized initial 'R' followed by a long horizontal line.

Dr Richard Chadwick
General Manager
Adjudication Branch