



Australian Government

Department of Education, Employment and Workplace Relations

Director
Zeal Property Maintenance P/L

I refer to your submission of 1 June 2009 in which you requested the Department's advice about whether your industrial arrangements are consistent with the National Code of Practice for the Construction Industry (the Code) and the Australian Government Implementation Guidelines, reissued June 2006 (the Guidelines).

On the basis that you have advised that no direct labour will be employed by Zeal Property Maintenance P/L, I consider your arrangements satisfy the requirements of the Code and Guidelines. Under the Guidelines, contractors are required to ensure compliance with the Code and Guidelines from all subcontractors and for all related entities. You would need to consider how you would ensure your subcontractors and your related entities, if any, comply with the Code and Guidelines.

Although it is important agreements and awards comply with the Code and Guidelines, it is equally important the practical, on-site application of any award or agreement also be consistent with the Code and Guidelines. The Office of the Australian Building and Construction Commissioner monitors behaviour on sites to which the Code and Guidelines apply, and investigates any alleged breaches of them.

As mentioned, this assessment relates to the Guidelines, reissued June 2006. You may obtain a copy of the Guidelines from www.workplace.gov.au/building.

If you have any further questions please feel free to contact National Code Assessment Hotline on 1300 731 293 or email: (building@deewr.gov.au).

Yours sincerely

Brad Bretland
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Building Industry Branch
Workplace Relations Implementation Group

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