



Commercial in Confidence

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**Australian Government**  
**Office of the Australian Building and  
Construction Commissioner**

[INSERT DATE]

[INSERT ADRESSEE]  
[INSERT ADDRESS]

[INSERT ABCC REFERENCE]

Dear [INSERT NAME]

**National Code of Practice for the Construction Industry (National Code)  
Implementation Guidelines [INSERT GUIDELINES REFERENCE]  
Agreement Review Results [INSERT PROJECT NAME/LOCATION]**

**Background**

I refer to our letter of [INSERT DATE OF ABCC LETTER] notifying [INSERT HEAD CONTRACOR NAME] of an assessment for compliance with the National Code. This was undertaken by an officer from the Australian Building and Construction Commissioner (ABCC) acting on behalf of the Australian Government. The subject of the assessment was the [INSERT PROJECT NAME/LOCATION].

Officers of the ABCC visited the Project on [INSERT DATE OF VISIT]. Subsequently, the workplace arrangements of sub-contractors engaged on the Project were assessed for compliance using the Implementation Guidelines (Guidelines) for the National Code as revised in September 2005 (re-issued June 2006) as a reference. A copy is available at [www.abcc.gov.au](http://www.abcc.gov.au).

**ABCC Assessment Method**

The Department of Education, Employment and Workplace Relations (DEEWR) is the Government department charged with assessing workplace arrangements for compliance with the National Code. While assessment by DEEWR is not a requirement of the Guidelines, the ABCC regards formal advice from this source to be authoritative.

The sub-contractor contact list provided during an earlier site visit was reviewed to determine whether DEEWR had assessed the workplace arrangements of sub-contractors engaged on the Project. In the event that no information was available from DEEWR, [INSERT HEAD CONTRACTOR NAME] were requested to provide details of the sub-contractors' workplace arrangements [INSERT DATE]. The ABCC subsequently submitted those workplace arrangements to DEEWR for assessment. In addition, [INSERT HEAD CONTRACTOR NAME] were asked to provide the following information:

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- Measures taken to ensure sub-contractors have GUIDELINES compliant workplace arrangements?
- what assessments were completed for sub-contractors engaged on the project?
- results of those assessments?

We take this opportunity to advise that as there is no master list of workplace arrangements to enable the ABCC to verify the compliance status of sub-contractors. Therefore, undertaking assessments such as this is necessary to determine the compliance status of sub-contractors engaged on projects subject to the National Code.

**Results of Assessment**

The results of the information provided, indicated that [INSERT HEAD CONTRACTOR NAME] failed to ensure that the workplace arrangements for all sub-contractors engaged on the Project were compliant with the National Code. DEEWR has advised that the following companies engaged on the Project were assessed as **non compliant**:

- [INSERT LIST OF SUB-CONTRACTOR/S]
- 

The results established a range of matters requiring rectification to ensure compliance with the National Code. In summary, these are numbered and cross referenced with the attached Chart of Issues:

- 1.

**Reporting**

The ABCC reports the results of its monitoring for compliance with the National Code to the Code Monitoring Group (CMG).

We request that you communicate with the ABCC to assist in the satisfactory rectification of the identified issues. Please provide this response no later than [INSERT DAY, DATE to be 28 BUSINESS DAYS FROM THE DATE OF THIS LETTER].

Your response should be forwarded to:

[INSERT INVESTIGATOR NAME]  
Code Compliance Investigator  
Office of the Australian Building and Construction Commissioner  
[INSERT MAILING ADDRESS]

If you require further information, please do not hesitate to contact [INSERT INVESTIGATOR NAME] on [TELEPHONE NUMBER].

On completion of the rectification process we will forward a copy of this correspondence and a detailed report outlining the rectification to the Secretariat of the CMG.

**OR**  
**DELETE IF NOT APPLICABLE**  
**USE BELOW PARAS IF SUB-CONTRACTORS ARE COMPLIANT**

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The results of the information provided, indicate that [INSERT HEAD CONTRACTOR NAME] have management systems in place to ensure that the workplace arrangements for all sub-contractors engaged on the Project are compliant with the National Code.

Please note that the Project will continue to be monitored by the ABCC to ensure ongoing compliance with the National Code.

Yours sincerely

Mrs Helen Evenden  
**Executive Director**  
**National Code Operations**

Attached: Chart of Issues  
Reference Documents

cc: [INSERT CLIENT AGENCY NAME]  
CMG Secretariat