

Code Compliance Factsheet

WORKING WITH FUTURE GENERATION JOINT VENTURE (FG-JV)

WHAT IS THE BUILDING CODE 2016?

The Code for the Tendering and Performance of Building Work (**Building Code 2016**) became effective on 2 December 2016.

By submitting an expression of interest or tender for work on this Project after 2 December 2016 you will become subject to the Building Code 2016. As a Building Code 2016 covered entity you are also required to ensure any secondary subcontractor(s) you engage comply with the Building Code 2016. The Australian Building and Construction Commission (**ABCC**) will monitor your compliance with the Building Code 2016.

GENERAL REQUIREMENTS

The Building Code 2016's requirements for code covered entities include these matters:

- compliance with certain laws, including designated building laws, work health and safety laws, the Competition and Consumer Act 2010 and the Migration Act 1958
- security of payment compliance
- unregistered agreements
- prohibited content for enterprise agreements made since 2 December 2016
- sham contracting
- collusive practices
- above-entitlements payments
- engagement of non-citizens or non-residents
- protecting freedom of association
- right of entry
- reporting and notification requirements and
- managing drug and alcohol issues in the workplace.

Further information is available on the ABCC's website at www.abcc.gov.au.

ENFORCEMENT

WHO ENFORCES THE BUILDING CODE?

The Building Code 2016 are enforced by the Federal government through the ABCC.

DEMONSTRATING COMPLIANCE

HOW DO I DEMONSTRATE COMPLIANCE?

FG-JV is committed to a rigorous and effective policy and educative program that upholds the aims of the Building Code 2016 in a compliant and efficient manner.

Each business must be assessed for compliance by the FG-JV Industrial Relations team prior to commencing work on Snowy 2.0.

Prior to commencing work on site, you **MUST** complete the IR Vendor Qualification Form.

You **MUST** also attach (where applicable):

- A copy of your legal/industrial instrument(s) that apply to workers that will be engaged on the Project;
- A copy of the FWA or FWC decision approving the enterprise agreement under the Fair Work Act 2009 (where applicable);



- Provide an ABCC Letter of Compliance or Self-Declaration A Form. Refer to the Proof of Eligibility Flowchart (attached) to determine the relevant document to submit. Self – Declaration A Form can be sourced from <https://www.abcc.gov.au/form/self-declaration-eligibility>;
- Construction industry long service leave registration (Attach a copy or screen shot of the employer's registration detail);
- Workers Compensation Certificate of Currency (where applicable, sole traders and owner operators to provide public liability insurance);
- Superannuation Statement for the past 3 months from the relevant superannuation insurer indicating all contributions up to date; and,
- Workplace/Employee/Industrial Relations Management Plan, where applicable the relevant entity may wish to comply with the Project's WRMP or provide their own version. A template copy is available via the ABCC webpage. <https://www.abcc.gov.au/building-code/contractors/tendering/workplace-relations-management-plans-wrmp>

Failure to provide this information may result in your company being excluded from the tender process and/or being unable to conduct work on the Project.

FURTHER INFORMATION

WHERE CAN I GET MORE INFORMATION?

If you require any further information you are encouraged to contact the ABCC via the below means:

Australian Building and Construction Commission (ABCC)	
Website	https://www.abcc.gov.au/
National Hotline	1800 003 338
Code Reporting Mailbox	abccwebenquiry@abcc.gov.au
Enquiry	enquiry@abcc.gov.au

SELECT THE TYPE OF ARRANGEMENT THAT WILL COVER YOUR EMPLOYEES ON THE PROJECT

ENTERPRISE AGREEMENT

MODERN AWARD

INDIVIDUAL CONTRACT

OTHER LAWFUL AGREEMENT

INDIVIDUAL CLAUSE/S

PROPOSED AGREEMENT

REGISTERED AGREEMENT

SUBMIT INDIVIDUAL CLAUSE/S TO THE ABCC FOR ASSESSMENT

DATE ENTERPRISE AGREEMENT MADE?

MADE 25 APRIL 2014 OR AFTER

MADE 24 APRIL 2014 OR PRIOR

ASSESSMENT BY THE ABCC

SUBMIT YOUR AGREEMENT TO THE ABCC FOR ASSESSMENT

COMPLIANT REGISTERED AGREEMENT

COMPLIANT PROPOSED AGREEMENT

NON-COMPLIANT REGISTERED AGREEMENT

NON-COMPLIANT PROPOSED AGREEMENT

COMPLETE SELF-DECLARATION A FORM

RECEIVE LETTER OF COMPLIANCE

RECEIVE PRELIMINARY ADVICE

IF YOU WISH TO TENDER FOR COMMONWEALTH FUNDED BUILDING WORK YOU WILL NEED TO SEEK LEGAL ADVICE