



**Australian Government**

**Department of Education, Employment and Workplace Relations**

Our Ref 36852

Mrs T Brockhurst  
Director  
101 Projects Pty Ltd ATF The Wei Discretionary Trust

Dear Mrs Brockhurst

I refer to your submission of 21 November 2011 in which you requested the Department's advice about whether the industrial arrangements, as noted in your request, are compliant with the National Code of Practice for the Construction Industry (the Code) and the Australian Government Implementation Guidelines (the Guidelines).

On the basis that you have advised that no direct labour will be employed by **101 Projects Pty Ltd ATF The Wei Discretionary Trust**, I consider your arrangements satisfy the requirements of the Code and all versions of the 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.

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.

You may obtain a copy of the Guidelines from [www.deewr.gov.au/building](http://www.deewr.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](mailto:building@deewr.gov.au)).

Yours sincerely

  
Rachel Robertson  
Assessor  
Building Industry Safety and Policy Branch  
Workplace Relations Implementation and Safety Group

25 November 2011