

**HEARING COMMENCED**

COMMISSIONER: I'll take appearances in that matter please.

**MR RUTHERFORD:** If it pleases the commission, Luke Rutherford, appearing on behalf of the Retail Traders Association.

5 COMMISSIONER: Good, thank you.

**MS THOMAS:** Jenny Thomas, Tasmanian Chamber of Commerce and Industry Limited, if it pleases.

COMMISSIONER: Good thank you. Now Mr Rutherford your organisation has just been before the commission in a matter T6996,  
10 which is to vary your certificate of registration, and the commission advised you that it would be supporting your application to vary your certificate, and I take it now that you're seeking to have those results placed in the award?

MR RUTHERFORD: Yes, commissioner, that's correct, on the same  
15 grounds as were previously stated, which I have a copy of here if you'd like to have a copy of that.

COMMISSIONER: No, I'm happy, I'm satisfied that I've given you a verbal decision giving you an interest in the award, this is a matter of now formality moving to the award. No opposition?

20 MS THOMAS: No, I just wonder, looking at the award, what the form of the order would be, just as a matter of interest, given it's got that new style clause 6, if you like?

COMMISSIONER: Well it would just be listed as an employer organisation.

25 MS THOMAS: With an interest under section 63(10) of the Act?

COMMISSIONER: Yes, and not under the section that the TCCI is under.

MS THOMAS: Thank you.

COMMISSIONER: Yes, I might show Ms Thomas - the draft would  
30 look something like this. That's how it will appear in the award, I haven't looked at it myself, but I'll -

MS THOMAS: I don't think that achieves what - because it's not under, they're not deemed pursuant to section 62(3) of the Act.

COMMISSIONER: No, well, I'll have a look at it, you might get it back  
35 for me. Just go off the record for a moment please.

**OFF RECORD**

**ON RECORD**

COMMISSIONER: Right, well, the commission will hand down a written decision in this matter granting the award variation. It will have an order attached, an appropriate order attached to the decision  
5 rectifying, or including, the Baking Industry Award and also slightly varying the layout of that clause to make it perfectly clear that we do have employer organisations - or one employer organisation, that gets an interest via section 62(3), and the other one gets an interest via 63(10).

10 This'll be that last time we have to go through this because after Monday, once the certificate of registration is varied, the award will be varied automatically without having to make a separate application. Right, any further submissions? No further submissions, right well that concludes this matter, and as I said I'll hand down a written  
15 decision fairly quickly in this matter. Good thank you.

**HEARING CONCLUDED**