



Guide

Textile, Clothing, Footwear and Associated Industries Award 2010—Registration

Who needs to be registered?

A principal (as defined in the Award) covered by the Textile, Clothing, Footwear and Associated Industries Award 2010 (the TCF Award) must be registered by the Textile, Clothing, Footwear and Associated Industries Award Board of Reference (the Board of Reference) before entering into an arrangement with any person (legal or natural) to have work carried out on the principal's behalf (other than by a employee who is not an outworker) (Schedule F.2.1).

A principal must not make such an arrangement with another principal unless the other principal is registered by the Board of Reference under Schedule F of the TCF Award.

What happens if I'm not registered?

A principal not registered by the Board of Reference may be subject to prosecution for a breach of the TCF Award if they have work performed away from his or her own workshop or factory.

The TCF Award requires that a principal must not make any arrangement with another principal who is not registered by the TCF Board of Reference.

What is the Board of Reference?

The Board of Reference comprises representatives from the union (TCFUA), principal representatives and a delegate of Fair Work Australia.

The Board of Reference must operate with a minimum of three representatives, one of whom must be a Fair Work Australia delegate.

The Board of Reference should consist of:

- two union representatives
- two principal representatives
- an FWA delegate as Chair of the Board.

How do I become registered?

To register a principal must:

- complete the '*Application for registration or renewal of registration*' (TCFA Application) and submit the completed TCFA Application to Fair Work Australia
- provide FWA with a completed '*Textile, Clothing, Footwear and Associated Industries Award 2010 quarterly list*' and attach this to your TCFA Application.
- comply with the conditions of registration.

How often do I need to register?

You need to renew your registration every 12 months by submitting a completed TCFA application to Fair Work Australia.

When you apply to renew your registration, the Board of Reference will consider whether you have met the conditions of registration.

What are the conditions of registration?

The Board of Reference may revoke your registration if you do not meet the following conditions.

1. Public notice requirement

You must place a notice in the public notices column of a metropolitan daily newspaper (circulating throughout the state in which the work is to be performed) at the time of registration and each time your registration is renewed. You can apply for an exemption from this requirement.

2. Outworkers

The TCF Award states that a principal must not make an arrangement with more than 10 workers (outworkers or persons who personally perform the work) at any one time without the consent of the union or of the Board of Reference.

3. *'Textile, Clothing, Footwear and Associated Industries Award 2010 quarterly list'*

You must provide a copy of this list to Fair Work Australia and the relevant state branch of TCFUA within seven days of the last working day of February, May, August and November within each year of registration. The list must show:

- each person you are making an arrangement with
- the date each arrangement is made.

What else should I consider when seeking registration?

If you wish to make an arrangement with more than 10 workers at one time, you must seek exemption by:

- obtaining the consent of the union (a copy of the agreement should be attached to your application)
- or
- seeking consent of the Board of Reference (by completing the appropriate section of the application form).

If you wish to be released from the requirement to place a public notice in a metropolitan daily newspaper, you must seek exemption by obtaining:

- consent of the union (a copy of the agreement should be attached to your application)
- or
- consent of the Board of Reference (by completing the appropriate section of the application form).

What are my award obligations?

Schedule F (Outwork and Related Provisions) and clause 17 of the TCF Award 2010 set out the award obligations relating to arrangements entered into by principals with any person to have work carried out on their behalf, including minimum provisions for outworkers.

In all cases you should refer to the full text of the TCF Award.

Where can I get a copy of the Award?

You can download a copy of the [Award](#) from the FWA website or contact the FWA library on (03) 8661 7806.

Please note that Fair Work Australia staff are unable to give advice about the TCF Award or advice about applications for registration.

Who do I go to for help?

Australian Industry Group (AiG)
Telephone: (03) 9867 0111

Victorian Employers Chamber of Commerce and Industry (VECCI)
Telephone: (03) 8662 5333

Textile Clothing and Footwear Union of Australia (TCFUA)
(National Office)
Telephone: (03) 9639 2955

Textile Clothing and Footwear Union of Australia
(Victorian Branch)
Telephone: (03) 9639 2955

Textile Clothing and Footwear Union of Australia
(NSW/South Australian/Tasmanian Branch)
Telephone: (02) 9789 5233

Textile Clothing and Footwear Union of Australia
(Queensland Branch)
Telephone: (07) 3390 7422