



Australian Government
**Australian Building and
Construction Commission**

18 May 2018

Mr Shawn Borger
General Manager
Borger crane Hire and rigging services Pty Ltd
40 Kildo Crescent
GLEN DENNING NSW 2761

DETERMINATION OF COMPLIANCE WITH SECTION 11
ABCC EA ID: EA6044
FWC Matter Number: AG2018/1420

Dear Mr Borger,

On 11 May 2018 you requested advice from the Australian Building and Construction Commission (ABCC) on whether the registered enterprise agreement listed in your request meets the requirements of the *Code for the Tendering and Performance of Building Work 2016* (the Building Code 2016).

This Determination of Compliance is issued for the following registered enterprise agreement because it meets the requirements of section 11 of the Building Code 2016:

**BORGER CRANE HIRE AND RIGGING SERVICES PTY LTD / CFMEU COLLECTIVE
AGREEMENT 2018**

Accordingly, by virtue of section 22(3) of the Building Code, this determination is taken to be conclusive of the fact that this registered enterprise agreement meets the requirements of section 11 of the Building Code 2016.

Note: This Determination of Compliance is based on the enterprise agreement registered with the Fair Work Commission at the date of this determination. If the registered enterprise agreement is varied after this date, the Determination of Compliance ceases to be effective. In these circumstances, you will need to consider submitting the varied agreement for further advice.

Parties must also comply with all relevant provisions of the Building Code 2016 in relation to their practical on-site application. The ABCC monitors behaviour on sites to which the Building Code applies and investigates any alleged breaches. The ABCC can be contacted through its hotline on 1800 003 338 or at www.abcc.gov.au.

The Building Code 2016 is available at <https://www.legislation.gov.au/Details/F2016L01859>.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tom Cagorski'.

Tom Cagorski
Legal Manager – Agreement Compliance
Australian Building and Construction Commission