

27 October 2017

Via Email | amod@fwc.gov.au

Dear AMOD

Response to [2017] FWC 5402

1. Business SA provides this letter in response to the 25 October Statement regarding the plain language re-drafting of the *Hospitality Industry (General) Award 2010*.¹
2. Specifically, this letter responds to paragraphs [12] and [54] of the October Statement.
3. At [12] and [54] Business SA is invited to confirm whether we wish to press Item 8 of the revised Summary of Submissions.² Item 8 relates to our submissions regarding the clauses referenced in Table 1 – Facilitative Provisions.
4. Business SA made similar submissions on this topic in relation to the *Restaurant Industry Award 2017* plain language exposure draft. On 24 October 2017 the Full Bench of the Fair Work Commission issued a decision which determined those submissions.³
5. In that decision, the Full Bench was not inclined to make Business SA's proposed changes.⁴
6. In light of the Full Bench's decision, and the reasons for that decision, we do not wish to press Item 8.
7. Business SA thanks the Fair Work Commission for the opportunity to provide this response.

Yours sincerely

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Policy Adviser



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¹ [2017] FWC 5402 ('October Statement').

² *Hospitality Industry (General) Award* – revised Summary of Submissions, 22 August 2017.

³ [2017] FWCFB 5397.

⁴ Ibid [16].