



Total Service Solutions™

## TRADE PRACTICES COMPLIANCE POLICY

This Policy sets out your obligations as a person employed or engaged by GJK Cleaning Services Pty Ltd (*trading as GJK Facility Services*) "the Company" and all other affiliated companies when performing, negotiating or discussing performing the services provided by the Company to its customers. This policy applies to you if you are an **employee or contractor** of the Company.

### 1. RESTRICTIVE TRADE PRACTICES

You must not engage in any conduct that breaches, or that would cause the Company to breach, any provisions of the *Trade Practices Act 1974* (Cth) (**TP Act**) relating to restrictive trade practices and/or anti-competitive conduct. **If you engage in any of the above conduct, you will have breached this Policy and the TP Act and could be fined up to \$500,000 under the TP Act.**

### 2. CONSUMER PROTECTION UNDER THE TP ACT

You must not engage in conduct that is misleading or deceptive, or that is likely to mislead or deceive. A statement will be misleading and/or deceptive if, by saying it you make someone believe something that is false. It is irrelevant whether you intentionally or unintentionally make them believe something that is false.

In addition, if you make a representation to a customer that is misleading or deceptive and the customer enters into a contract with the Company based on that representation, you will have breached this Policy and the *Fair Trading Act 1999* (Vic) (**FT Act**). A representation takes place when you tell someone, or suggest to them (by words or action) that something will occur or exists.

**If you engage in misleading and deceptive conduct or make a false or misleading representation, any contract that the Company made with a customer arising out of your misleading and deceptive conduct or false or misleading representation may be avoided by that customer, the potential consequence that the Company will have to pay back all of the money earned under that contract to the customer. You could possibly be fined up to \$63,000 under the FT Act. A corporation that is found to have engaged in misleading and deceptive conduct or made a false or misleading representation could also be fined under the FT Act up to \$126,000, and under the TP Act up to \$1,050,000.**

You must not engage in unconscionable conduct. Unconscionable conduct is conduct that is unscrupulous or unfair, and/or takes advantage of a customer. You must not engage in unconscionable conduct and must conduct all negotiations on behalf of the Company in good faith. You must not under any circumstances use physical force or undue harassment or coercion to convince a customer to buy, continue to buy or pay for the Company's services.

**If you engage in unconscionable conduct, you will have breached this Policy, the TP Act and FT Act, and penalties may be imposed against you personally, in addition to any disciplinary or punitive action that the Company may take against you as set out in Item 3 below. Penalties may also be imposed against the Company because it may be held vicarious, liable or responsible for your conduct as its employee.**

### 3. BREACHES OF THIS POLICY

If you breach this Policy, the TP Act or the FT Act in any way, your actions will amount to **serious misconduct**, and may result in the **termination of your employment** by the Company. If you are a contractor, your actions will amount to **a breach of your contract of engagement with the Company**, and may result in the **termination of that contract** by the Company.

### 4. QUESTIONS AND CONCERNS

If you have any questions about your obligations under this policy, or you are concerned that the Company may be breaching its obligations under the TP Act or the FT Act, please contact Mario Vella-West, Chief Executive Officer on (03) 9763-0999

A handwritten signature in blue ink, appearing to read 'G Stamas'.

George Stamas  
Director  
GJK Facility Services

April 2006