



# LIFE | WORK

Slide the bar to get the perfect balance.

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Free and Public Material  
Members-only Material

2 million self-employed  
*Their interests are our interest*

It's your contract: Take control of it!

We say you should control your contract. Here's how. Check for clauses that are:



Red for Stop

Amber for Caution

Green for Go

You can also make use of our Contract Template to design your contract.

Matrixes and template are available [here](#) (ICA members only). Not a member? Join [here](#) for as little as \$55.

#### Charter of Contractual Fairness



On 1 July we launched our [Charter of Contractual Fairness](#).

We are currently [writing to Australian corporations](#) asking them to commit to contract fairness in their dealings with small business people.

[Debate: Suck it up?](#)

#### Fixing business disputes

There's lots happening for new dispute resolution services for small business people.

**Federal**  
The Federal government has initiated a review.

[ICA submission](#).  
Dispute resolution [discussion paper](#).  
Point-form [summary of discussion paper](#)

**Small Business Commissioners**  
The Small Business Commissioner (SBC) model is being rolled out across Australia.

[Explanation of developments](#)  
[Explanation of South Australia](#)  
[Explanation of the politics](#)

**Case Study: Guy's case**  
[Business Spectator article](#)  
[Counterpoint interview](#)

#### Understanding self-employed as entrepreneurs

We're conducting a global discussion about [enabling innovation](#).

#### Watching: The coordinated attack against self-employed in Australia

[Fiddling the tax system](#) against self-employed people.

## Small Business Dispute Resolution

### The Shakespearean drama over franchisee dispute resolution Simple Summary of a complicated situation

Updated 17 August 2011



There's a battle happening over the legislative arrangements to protect small business franchisees from bad behaviour by big business franchisors. Below is our summary of what's currently happening. We think it looks like a Shakespearean drama. But this is good. The outcome might be better and fairer dispute-resolution processes for all small business people, including franchisees.

- There's been an evolving debate for around a decade over how to achieve fairness for franchisees in their dealings with franchisors.

#### The Feds

- In 2010, the Federal government brought in new laws to cover franchise codes of conduct and dispute resolution. The [Australian Consumer and Competition Commission](#) (ACCC) implements and enforces the laws.

#### Toothless ACCC

- Many franchisees and franchisee organizations claim that the ACCC has been a miserable failure in protecting them in the past. Some say that the [new laws have been made toothless](#) after lobbying from front organizations for franchisors.

#### SA: Piccolo Bill

- One South Australian backbench Labor MP, [Tony Piccolo](#), has campaigned for franchisees for several years. He introduced a SA private members bill in 2010 that would have forced franchisors to 'act in good faith'.
- There's a lot of disagreement over what 'good faith' means at law and how to define it in legislation.

#### WA: Abetz

- A Western Australia Liberal MP, [Peter Abetz](#), has picked up on the SA Piccolo Bill and has moved to push replicated legislation in WA. The WA Liberal Government holds power by one seat. The Labor Opposition supports the Abetz Bill and the government could be defeated in parliament on this Bill.

#### SA: Piccolo changes to SBC model

- SA Tony Piccolo is now parliamentary secretary to the SA Premier. The SA government has introduced new legislation to assist franchisees under the Small Business Commissioner model. Piccolo says the new legislation [fixes his concerns](#). He is no longer proceeding with his 2010 private members bill.

#### WA: Abetz Bill under debate

- The Abetz (Piccolo) Bill was discussed by the WA Parliamentary Economics Committee. The Committee [recommended not to proceed with](#)

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2 Govt Handbooks on Independent Contractors

ICA says "essential reading"  
[Contracts Made Simple](#).  
[The Essential Guide](#)



Virtual Business Providers  
Click [here](#)

Contractor or Employee?

Access the ATO's new 'decision tool' (for tax/super only)



Compare with ICA's (for general law):  
[Simple check list](#)  
[Swinging pendulum test](#)

Got 'Grey Hair'?

Forget about trying to get a job. Learn to package your 'grey hair' skills as a SELF EMPLOYED consultant. Next 'High Income' Consulting Course STARTS SOON

Entity

solutions

Save time. Save money.  
Complete risk mitigation.  
Your one stop engagement and management solution

Register Your Business Name

Here's how to [register your business name nationally](#).

[Sham contracting campaign.](#)

### Watching: New Technology

New technology creates new opportunities (and sometimes new threats) for self-employed people. [We're watching them.](#)

### Charles Dickens on debt and misery



Charles Dickens' advice to us all: 'Income 20 pounds; expenditure 21 pounds; result misery!' WC Fields' [rendition of this](#) is brilliant!

### Our Campaigning

ICA's principal commitment is to lobby/advocate on small business issues. ICA says:

[We need unfair contract protections](#)

[Stop sham contracts](#)

[Stop phoenix companies](#)

[Defend contractor tax laws](#)

### Watching: Your Superannuation

Abbott says [ATO to administer Super](#), not small business.

[High Court challenge to super](#)

[Super Review and Govt response.](#)

### Watching: Work Safety Laws

[Harmonised laws have big problems.](#)



Watching Global Economies

[Watching Global Economies](#)

[Watching the USA](#)

[Watching China](#)

[Central Banks on Debt](#)

[Watching Housing Bubbles](#)

[Ken Phillips on the debt equation](#)

### Watching: Government Contracts

[Military Aircraft \(JSF\)](#)

[National Broadband Network](#)

the [Abetz Bill](#), but rather to look at other approaches for franchisee fairness through the Small Business Commissioner model.

- The Abetz Bill is being debated in the WA Parliament ([current 14 Aug 2011](#)).

### Here are some of the non-parliamentary/government players in the drama

The *Sydney Morning Herald* says there's [a bitter dispute](#) between key players.

Franchise Council of Australia [[Website](#)]



Stephen Wright is the Executive Director. The Council [strongly opposes](#) the state franchise Bills.

Stephen Giles



Stephen Giles is the [Chair](#) of the Franchise Council of Australia and a senior partner at the law firm Norton Rose, specialising in franchising.

Jack Cowin



Jack Cowin is a giant in Australian fast food franchising. His [Wikipedia](#) listing states that his company owns 50 KFC outlets, 350 Hungry Jacks and is the dominant shareholder in Domino's Pizza. The *SMH* says he is supporting Peter Abetz with his franchise Bill in WA.

National Franchisee Coalition [[Website](#)]

It [supports](#) the WA Abetz Bill.

Business getting you down? There's help! [Beyond Blue](#) for you.



Handy Business Links:

[Melbourne Hotels](#)

## Worried about contractor compliance?

Phone: 1300 275 262

Filing your tax return: [A member's problem](#)  
[ATO advice](#)

Handy ATO tax links:

[ATO debt collection: overview](#)

[ATO debt collection: 'Products'](#)

[Guide to managing your debt](#)

[Not-for-profit tax guide](#)

[Lodge your BAS online](#)

[PAYG withholding tax tables](#)

[New tax form: Taxpayer Statement of Account](#)

[New tax form: Notice of Assessment](#)

[Mortgage scams](#)

[Small business support](#)

[Payment arrangement calculator](#)

[Want an ATO visit?](#)

[ATO Help for small business](#)

[ABN eligibility rules](#)

[Self managing your tax debt](#)

Handy Super links:

[ATO SMSF compliance](#)

[ATO free seminars.](#)

[SMSF Admin advice](#)

[New Super clearing house](#)

[Tax on SMSF loans](#)

### Govt Contracting Tips

Managing liability clauses.

[Contracting guidelines](#)

[Model clause](#)

[ICA summary](#)

### Scam Alert!

A list of [scam companies](#) from the Australian business regulator.

### Big Links List to Government and Other Organizations

Looking for a government or organization? Check [this link](#).

### Small Business Commissioners

In place: [Victoria](#)

Plans to introduce:

[WA](#)

[SA](#)

[NSW](#)

### UK National Freelancers Day

[Great small business videos](#)

Modern Awards

Here's a [list](#) of most of them. ICA Members only.



### Publications

*People who are Self-Employed Profile*



© Roy Morgan Research



[The Workforce Superhighway \[PDF\]](#)  
Bob Day

### ICA Small Business Videos



'Business in Crisis'  
[Click here](#)



'The Early Years'  
[Click here](#)



'Research & Marketing'  
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