



Our ref: AA1000440  
Contact officer: Anna Pound  
Contact phone: (03) 9290 6920

23 Marcus Clarke Street  
Canberra ACT 2601

GPO Box 3131  
Canberra ACT 2601

tel: (02) 6243 1111  
fax: (02) 6243 1199

17/05/2019

adjudication@acc.gov.au

www.accc.gov.au

Dear Sir/Madam

## **Association of Professional Engineers, Scientists and Managers Australia (APESMA) – application for re-authorisation AA1000440 – interested party consultation**

On 9 May 2019, the Australian Competition and Consumer Commission (the **ACCC**) received an application for re-authorisation from Association of Professional Engineers, Scientists and Managers Australia (**APESMA**) on behalf of translators and interpreters.

The purpose of this letter is to invite you, as a person who may have an interest in the application, to comment. APESMA is seeking re-authorisation<sup>1</sup> under the *Competition and Consumer Act 2010* (C'th) (**Act**). Re-authorisation is sought for APESMA to collectively negotiate the terms of engagement on behalf of existing and future members who are independent contractors and provide interpreting and translating services. APESMA is also seeking re-authorisation to advise translators and interpreters in relation to what constitutes fair rates of pay and other contract terms for services.

APESMA is seeking re-authorisation for a further 5 years. A full copy of the application for re-authorisation is available on the ACCC's [authorisations public register](#).

### **Interim authorisation**

APESMA has requested interim authorisation while the ACCC considers the merits of the application for re-authorisation. APESMA's current authorisation A91402 expires on 26 June 2019.

The ACCC decides whether to grant interim authorisation on a case by case basis. Should an applicant request interim authorisation, the ACCC will usually consider a range of factors, including harm to the applicant and other parties if interim is or is not granted, possible benefit and detriment to the public, the urgency of the matter and whether the market would be able to return to substantially its pre-interim state if the ACCC should later deny re-authorisation. The ACCC may review a decision on interim authorisation at any time.

### **Request for submissions**

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, you consider are likely to result from the conduct for which authorisation and interim authorisation is sought.

If you intend to provide a submission, please do so by **30 May 2019**. The ACCC must take into account any submissions received by this date. Submissions received after this date may, but need not, be taken into account.

---

<sup>1</sup> For information about Authorisations, please see <https://www.accc.gov.au/business/exemptions/authorisation>

Written submissions should be emailed to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) with the subject 'AA1000440 – APESMA – submission'.

Submissions, including particulars of oral submissions, will be placed on the ACCC's [authorisations public register](#) subject to any request for exclusion. Please see the ACCC's publication [Guidelines for Excluding Information from the Public Register](#).

## Timetable

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information.

Indicative date	Stage in assessment process
<b>9 May 2019</b>	Lodgement of application and supporting submission.
<b>16 May 2019</b>	Public consultation process begins.
<b>30 May 2019</b>	Closing date for submissions on interim and re-authorisation.
<b>Late May 2019</b>	Applicant responds to issues raised in the public consultation process.
<b>Mid June 2019</b>	ACCC decision regarding interim authorisation and draft determination.
<b>June/July 2019</b>	Public consultation on draft determination including any conference if called.
<b>September/October 2019</b>	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the application at the draft and final determination stages. If you are able to please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the application.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Anna Pound on (03) 9290 6920, or [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au).

Yours sincerely



Marie Dalins  
Director  
Adjudication

## Interested Party List

All Graduates Interpreting & Translating Services  
Associated Translators & Linguists Pty Ltd  
Auslan Services  
Auslan Stage Left  
Australian Association of Language Companies (AALC)  
Consumer Action Law Centre  
Department of Health (Federal)  
Department of Health (New South Wales & ACT)  
Department of Health (Western Australia)  
Department of Health (Tasmania)  
Department of Health (NT)  
Department of Health (QLD)  
Department of Health (Victoria)  
Department of Home Affairs - TIS National services  
Department of Social Services - Migration Translators  
Echo Interpreting  
Ethnic Interpreters and Translators  
Ezispak  
Federal Magistrates Court (Australian Capital Territory)  
Federal Magistrates Court (New South Wales)  
Federal Magistrates Court (Northern Territory)  
Federal Magistrates Court (Queensland)  
Federal Magistrates Court (South Australia)  
Federal Magistrates Court (Tasmania)  
Federal Magistrates Court (Victoria)  
Federal Magistrates Court (Western Australia)  
Federation of Ethnic Community Councils of Australia (FECCA)  
Independent Practising Interpreters Association  
Multicultural Affairs and Social Cohesion Division  
National Accreditation Authority for Translators and Interpreters (NAATI)  
Oncall Interpreters & Translators  
The Australian Institute of Interpreters and Translators (AUSIT)  
The Australian Sign Language Interpreters' Association (ASLIA)  
TIS National (Dpt of Home Affairs)  
Translationz  
Victorian Interpreting and Translating Services  
VITS Language Group  
2M