



Our ref: AA1000461
Contact officer: Louisa Wilson/Anna Pound
Contact phone: 03 9290 1474/6920

23 Marcus Clarke Street
Canberra ACT 2601
GPO Box 3131
Canberra ACT 2601
tel: (02) 6243 1111

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adjudication@accc.gov.au
www.accc.gov.au

Dear Interested Party

Australian Engineered Stone Advisory Group's application for authorisation AA1000461—interested party consultation

The Australian Competition and Consumer Commission (the **ACCC**) has received an application for authorisation from Australian Engineered Stone Advisory Group (**AESAG**). The ACCC invites you to comment on the application. Included in this letter is a summary of the authorisation process including how to make a submission to the ACCC.

Application for authorisation

AESAG's current members are Caesarstone Australia Pty Ltd, Smartstone Australia Pty Ltd and WK Marble & Granite Pty Ltd and supply approximately 77% of engineered stone in Australia. AESAG's mandate is to respond to the occupational risk of silicosis for stonemasons fabricating members' products, raise awareness of the risks of unsafe fabrication processes, and promote the safe fabrication of engineered stone.

AESAG is seeking authorisation on behalf of itself, future members and other suppliers of engineered stone to:

- adopt industry accreditation standards for fabricators and stonemasons (**Fabricators**) working with engineered stone (**Accreditation Standards**),
- seek to require Fabricators, to whom Members supply engineered stone, to comply with health and safety practices under the "model" work health and safety (**WHS**) laws when working with the engineered stone in order to achieve accreditation, and
- consider whether to refuse to supply engineered stone where Fabricators do not meet the Accreditation Standards (**Proposed Conduct**).

A full copy of the application for authorisation, including the Accreditation Standards, is available on the [ACCC's Public Register](#).

Interim authorisation

AESAG has requested interim authorisation for the Proposed Conduct.

The ACCC endeavours to deal with requests for interim authorisation quickly. In making an assessment as to whether it is appropriate to grant interim authorisation, the ACCC is not required to undertake a full assessment of the benefit and detriment likely to arise as a result of the proposed conduct.

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 authorisation.

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, from the proposed arrangements.

If you intend to provide a submission in relation to AESAG's application for authorisation and in relation to interim authorisation, please do so by **8 January 2020**. Submissions should be emailed to adjudication@accc.gov.au with the subject Australian Engineered Stone Advisory Group - AA1000461'.

Alternatively, if you would like to provide comments orally, please contact Louisa Wilson or Anna Pound on 03 9290 1474/6920 to organise a suitable time.

Submissions, including a record of oral submissions, will be placed on the [ACCC's public register](#) subject to any request for exclusion (see the [ACCC guidelines](#) for more information).

Timetable

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

29 November 2019	Lodgement of application and supporting submission.
5 December 2019	Public consultation process begins.
8 January 2020	Closing date for submissions from interested parties on interim authorisation and the substantive application.
January / February 2020	Applicant responds to issues raised in the public consultation process.
January 2020	ACCC decision regarding interim authorisation
March 2020	ACCC draft determination.
March / April 2020	Public consultation on draft determination including any conference if called.
May / June 2020	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 Louisa Wilson or Anna Pound on 03 9290 1474/6920 or adjudication@accc.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D. Staltari'.

Danielle Staltari
Director
Adjudication

List of parties contacted by the ACCC

Cosentino Australia Pty Ltd (trading as Silestone)
JH Wilberforce Pty Ltd (trading as QStone)
Laminex Group Pty Ltd (trading as Essastone)
Stone Ambassador Australia Pty Ltd
Talestone
YDL Australia Pty Ltd (trading as YDL)
Emperor Stone
Made in Stone
Stone Tech Australia
Amalgamated Stone
Baron Forge Pty Ltd/Pazstone
Casa Marble Pty Ltd
Deemah Stone Pty Ltd
Edstein Creative Stone
Kaystone
Cutting Edge Stone
Regal Stonemason
Alta Moda Marble and Granite
Absolutely Marble-Us
Arciuli
Stone Effects
Austrend Stone
Waves Surfaces
Metro Marble
Victoria Stone Gallery
Quality Stone Oz
Absolute Stone
Swanstone
Granite Transformations
Precision Stone Services
Gitani Stone
Superior Marble and Granite
Aurora Stone
Number One Marble & Granite Pty Ltd
Willis Bros. Marble & Granite
Freedom Kitchens
Impala Kitchens Pty Ltd
Nobby Kitchens
Designer Kitchens Australia Pty Ltd (trading as Nouvelle)
Premier Kitchens
The Good Guys
Masters Builders Association WA
AV Jennings Properties Ltd
Meriton Properties Pty Ltd
Metricon Homes Pty Ltd
Parkview Constructions Pty Ltd
Porter Davis Projects Pty Ltd
Simonds Group Limited (trading as Simonds Homes)
SafeWork Australia
Safe Work NSW
Workplace Health & Safety Queensland
WorkSafe Victoria
WorkSafe ACT
SafeWork SA

NT WorkSafe
WorkSafe WA
WorkSafe Tasmania
Department of Health (Cth)
Department of Health and Human Services (Vic)
Ministry of Health (NSW)
iCare (NSW)
Department of Health (QLD)
Department of Health and Wellbeing (SA)
Department of Health (WA)
Department of Health (Tas)
Department of Health (NT)
Department of Health (ACT)
Construction, Forestry, Maritime, Mining and Energy Union
Silicosis Support Network (Asbestos Diseases Society of Australia)
Cancer Council Australia
Australian Institute of Health and Safety
National Safety Council of Australia
Insurance Council of Australia
State Insurance Regulatory Authority (NSW)
Thoracic Society of ANZ
Fair Work Ombudsman
Australian Institute of Occupational Hygienists Inc
Australian Chamber of Commerce & Industry
Council of Small Business Organisations of Australia
Victorian Small Business Commissioner
WA Small Business Commission
Australian Small business and Family Enterprise Ombudsman
Australian Retailers Association
Australian Industry Group
Business Council of Australia
NSW Business Chamber
Master Stone Masons Association Victoria Inc
Australian Stone Advisory Association Ltd
Australian Chamber of Commerce and Industry
Insurers
Allianz
Medibank
Insurance Australia Group
QBE
Youi
Suncorp