

Our ref: 02 1390 9473  
Partner: Ross Zaurrini  
Direct line: [REDACTED]  
Email: [REDACTED]  
Contact: Melissa Fraser, Partner  
Direct line: [REDACTED]

Ashurst Australia  
Level 11  
5 Martin Place  
Sydney NSW 2000  
Australia

GPO Box 9938  
Sydney NSW 2001  
Australia

Tel +61 2 9258 6000  
Fax +61 2 9258 6999  
DX 388 Sydney  
www.ashurst.com

23 April 2020

Daniel McCracken-Hewson  
Acting General Manager, Adjudication  
Australian Competition and Consumer  
Commission  
Level 17  
2 Lonsdale Street  
Melbourne VIC 3000

**ashurst**

Dear Mr McCracken-Hewson

**Australian Constructors Association  
Withdrawal of application for interim authorisation and final authorisation**

We refer to the Australian Constructors Association's (**ACA**) application for urgent interim and final authorisation submitted to the Australian Competition and Consumer Commission on 9 April 2020 (**Application**).

The impact of the COVID-19 pandemic in Australia and globally, as well as Government and industry responses to it, are dynamic and constantly evolving.

The ACA prepared and submitted its Application at a time when it understood there was an immediate and critical need for a collective response by its members to assist Government respond to the COVID-19 pandemic.

However, positive developments in the period since ACA's lodgement of its Application appear to have reduced the potential for a catastrophic impact of the COVID-19 pandemic on the Australian building and construction industry. The ACA accordingly withdraws its Application for urgent interim and final authorisation.

The ACA and its members nevertheless stand ready to support Government during this pandemic and will continue to consider their position, including possible authorisation from the Commission in the future, in the event that the position with respect to the impact of the COVID-19 pandemic changes.

Yours sincerely



**Ashurst Australia**