

**MASTER BUILDERS**
A U S T R A L I A

31 May 2004

Mr Tim Grimwade
General Manager
Adjudication Branch
Australian Competition and Consumer Commission
GPO Box 1199
DICKSON ACT 2602

Attention: Ms Tanya Mayrhofer

Your Ref: C2004/22

By facsimile: 6243 1211

Dear Mr Grimwade

Authorisation No. A90895 – Clay Brick and Paver Institute – Pre-Decision Conference

Thank you for your letter dated 11 May 2004. Master Builders Australia confirms its attendance at the conference to be held on 4 June 2004 at the Commission's Sydney offices.

Master Builders will be represented by me, as CEO of Master Builders Australia, Richard Calver, National Director Industrial Relations and Legal Counsel and Mr Denis Wilson, National Director Training. The telephone number and mailing address are as shown on this letterhead. The email address for each of those mentioned is as follows:

wh@masterbuilders.com.au
rcalver@masterbuilders.com.au
deniswilson@masterbuilders.com.au

However, if there is a need to notify Master Builders of any late changes to the conference arrangements, please contact Angela Hagedorn or Libby McLaughlin on (02) 6249 1433. I will be the chief spokesperson. There will be no external legal or other professional advisers to assist us. Whilst Richard Calver is legally qualified, he has an internal corporate counsel role and will participate in the conference.

As demonstrated by the prior submissions, Master Builders Australia has a relevant interest in the application for authorisation lodged by the Clay Brick and Paver Institute (CBPI) for itself and its members on behalf of the Concrete Masonry Association of Australia (CMAA) and its members. Master Builders Australia represents the nine State and Territory Master Builders Associations who have direct builder members. The levy proposed to be placed on the sale of bricks has a direct effect on builder members' costs in the building of houses and in respect of other construction work.



In addition, since we have lodged our submission and since the publication of the draft determination, we have had discussions with the CBPI. CBPI has made it clear that a particular State could decide to enter into arrangements with existing group training companies under partnering agreements rather than establishing their own group training companies. Master Builders wanted this position to be a condition of authorisation and we believe that the revised CBPI position should become a clear condition of the final authorisation.

Part of the discussion that we wish to occur during the conference will centre on the notion that States should make the decision about how to best employ apprentices and through what structure but that a prima facie presumption should be that where existing group training companies are in place, use of funds to establish new companies is misdirected. We are aware that in Queensland a partnering arrangement with established group training companies will be entered into. This situation prevails in Victoria and accordingly we have no concerns at all in relation to the draft determination as it applies to Victoria. Our comments are related to Draft Determination No. A90895. We have no concerns in relation to Draft Determination No. A90887.

Yours sincerely

A handwritten signature in black ink, appearing to be 'W. Harnisch', written over a horizontal line.

Wilhelm Harnisch
Chief Executive Officer
Master Builders Australia Inc.