

Stewart, Liam

From: Stewart, Liam
Sent: Thursday, 27 October 2005 10:21 AM
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Subject: Royal Australian Institute of Architects authorisation application - Determination
Attachments: A90946 - Royal Australian Institute of Architects Application for Revocation and Substitution - Final Determination - 27 10 05.pdf

Our Ref: C2004/1921
Contact Officer: Liam Stewart
Contact Phone: 02 6243 1275

27 October 2005

Dear Sir/Madam

Royal Australian Institute of Architects application for revocation and substitution

I refer to the above application for revocation and substitution lodged with the Australian Competition and Consumer Commission (the ACCC) by the Royal Australian Institute of Architects (the RAIA).

Briefly, on 9 December 2004, the RAIA applied to the ACCC to revoke authorisation A58, which was granted to the RAIA by the Trade Practices Commission in 1984 (the Trade Practices Commission is now known as the ACCC), and to substitute it with an authorisation in a similar form.

As you may recall, on 26 July 2005, the ACCC issued a draft determination proposing to deny the RAIA's application. At that time, the ACCC considered that the potential anti-competitive detriment which may have been generated by the proposed substitute arrangements, and in particular certain parts of the proposed Code of conduct and the RAIA's fee guides, were likely to outweigh the potential public benefits of the proposed arrangements.

In response to the ACCC's draft determination, the RAIA submitted an amended application which sought to address the issues raised. The RAIA's revised application included the removal from the application of the RAIA's existing fee guidance material and a number of modifications to the RAIA's proposed new Code of conduct.

The ACCC has now issued a final decision granting the RAIA's substitute authorisation for a period of 6 years.

A copy of the determination outlining the reasons for the ACCC's decision is attached to this email and the determination will also be available on the ACCC's website: www.accc.gov.au.



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Application for review

Pursuant to section 101 of the *Trade Practices Act 1974*, a person dissatisfied with this determination may apply to the Australian Competition Tribunal for its review. An application for review must be made within 21 days of the date of this determination; that is, on or before 19 November 2005. If no application for review is lodged by this date, the ACCC's determination will come into force on 20 November 2005.

A copy of this email will be placed on the ACCC's public register.

If you have any queries or if you wish to discuss any aspect of this application further, please contact Liam Stewart on (02) 6243 1275.

Yours sincerely

(Liam Stewart for)
Scott Gregson
General Manager
Adjudication Branch