

With Compliments

ATTENTION: MRS HOA

Application fee payable as discussed.

BOB RUSHTON



AW805070

23/1/98

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Clay Bri  
8 Cuthbert  
PO Box 6  
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FILE No:	
ENTITY:	58/3222
DOC:	98/13905

Clay Brick and Paver Association of New South Wales  
8 Cuthbert Avenue, New Homeworld, Kellyville  
PO Box 6567, Baulkham Hills Business Centre NSW 2153  
Tel: (02) 9629 4922 • Fax: (02) 9629 7022



COMMONWEALTH OF AUSTRALIA  
Trade Practices Act 1974 - Subsection 88 (1)

003

AGREEMENTS AFFECTING COMPETITION:-

APPLICATION FOR AUTHORISATION

FORM B

To the Australian Competition and Consumer Commission:

Application is hereby made under subsection 88(1) of the Trade Practices Act 1974 for an authorisation under that subsection.

- to make a contract or arrangement, or arrive at an understanding, a provision of which would have the purpose, or would have or might have the effect, of substantially lessening competition within the meaning of section 45 of that Act.
- to give effect to a provision of a contract, arrangement or understanding which provision has the purpose, or has or may have the effect, of substantially lessening competition within the meaning of section 45 of that Act.

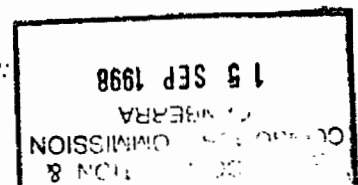
- (a) *Name of Applicant - Clay Brick and Paver Association of New South Wales*
  - (b) *Short description of business carried on by applicant - Industrial Organisation of Employers. The Association carries out promotion and representations to Government on behalf of the industry as well as running a bricklayer training school teaching basic skills.*
  - (c) *Address in Australia for service of documents on the applicant - P O Box 6567, Baulkham Hills Business Centre, NSW 2153.*
- (a) *Brief description of contract, arrangement or understanding and where already made, its date: The Association members are proposing a levy of \$2.00 per thousand to be added to the price of bricks and this levy would apply to all members of the Association. The levy is to be used to subsidise the employment of apprentice bricklayers. The \$2.00 levy is proposed to be charged and appear as a separate item on all invoices.*
  - (b) *Names and addresses of other parties or proposed parties to contract, arrangement or understanding -*

The Austral Brick Company Pty Ltd, P O Box 550, PENRITH NSW 2750  
AJ Baker (Wingham) Pty Limited, P O Box 51, WINGHAM NSW 2429.  
Bowral Brickworks Pty Ltd. P O Box 656, BOWRAL NSW 2576/  
Bulli Tile & Brick Co Pty Limited, 70 Lawrence Hargrave Drive, AUSTINMER NSW 2514  
Boral Bricks (NSW) Pty Limited, Locked Bag 70, PENNANT HILLS NSW 2120  
Glen Innes Brickworks, 23 Cross Street, GLEN INNES NSW 2370.  
CSR Building Materials, Lot 7 Cecil Road, CECIL PARK NSW 2171  
Norwest Ltd., P O Box 6007, BAULKHAM HILLS BUSINESS CENTRE NSW 2153.  
Willis Bricks (Wagga) Pty Ltd, 48 Chaston Street, WAGGA WAGGA NSW 2650

- (a) *Names and addresses (where known) of parties and other persons on whose behalf application is made: Not applicable*

- (a) *Grounds for grant of authorisation:*
  - (b) *Facts and contentions relied upon in support of those grounds:*

See Attachment 1.





5. *This application for authorisation may be expressed to be made also in relation to other contracts, arrangements or understandings or proposed contracts, arrangements or understandings that are or will be in similar terms to the above-mentioned contract, arrangement or understanding -*

(a) *Is this application to be so expressed?*

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(b) *If so the following information is to be furnished:*

(i) *the names of the parties to each other contract, arrangement or understanding:*

(ii) *the names of the parties to each other proposed contract, arrangement or understanding which names are known at the date of this application:*

Question 5 is not applicable to this application.

6. (a) *Does this application deal with a matter relating to a joint venture (see section 4J of the Trade Practices Act 1974)?*

(b) *If so, are any other applications being made simultaneously with this application in relation to that joint venture?*

(c) *If so, by whom or on whose behalf are those other applications being made?*

Question 6 is not applicable to this application.

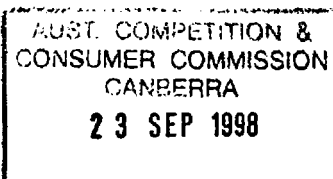
7. *Name and address of person authorised by the applicant to provide additional information in relation to this application:*

Bob Rushton, Clay Brick and Paver Association of New South Wales, P O Box 6567, Baulkham Hills Business Centre, NSW 2153.

Signed by/on behalf of the applicant



R. F. RUSHTON



ROBERT FRANCIS RUSHTON  
EXECUTIVE DIRECTOR  
CLAY BRICK AND PAVER ASSOCIATION OF NEW SOUTH WALES

Date:

10/9/98



We would submit that the application should be granted as there is a public benefit from such a levy to be used to subsidise the training of bricklayers.

At the present time, the shortage of bricklayers in New South Wales is extreme with the numbers in training at the present time far from sufficient to replace the natural attrition at the other end of the scale. One of the age-old problems with employing apprentices is the cost versus productivity to the employer. Presently the association runs a training school which provides ten weeks of basic skills training to trainees. It is our intention to apprentice those trainees to an industry-controlled group training company and offer them to host employers to continue their on-site training. Once again the downside to this is the cost to the host employer which includes all overheads for the apprentice and some administration costs.

The levy which we seek to raise would be used to offset those overheads and administration costs thereby making the apprentice economically viable. We believe this subsidy would enable the group training company to employ a minimum of 100 extra apprentices per year. The levy would be separated on all invoices from the individual company's normal cost per thousand and each company involved in the levy scheme would continue its normal pricing policy based on its own pricing structure. The levy would in no way interfere or affect the individual company's prices. The member companies would continue to market and price their product on quality, the difference in the range of products, and the service extended to the customer.

