



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2008/1626
Contact Officer: Jaime Martin
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27 October 2008

Managing Director
North Brisbane Tippers
PO Box 5621
Brendale QLD 4500

Dear Sir/Madam

**Application for authorisation (A91103) for collective negotiations by owner
drivers with earthmoving contractors in South East QLD**

The Australian Competition and Consumer Commission (the ACCC) has received an application for authorisation from the Construction, Forestry, Mining and Energy Union (CFMEU). As a potentially interested party, the ACCC invites you to comment on the application.

Please refer to the enclosed letter from the ACCC which was sent to interested parties on 14 October 2008. On 24 October 2008 the ACCC received your postal details from the CFMEU. I apologise for the delay in providing a copy of the CFMEU's application to you.

The CFMEU seeks authorisation for its owner driver members to collectively negotiate with earthmoving contractors in relation to the terms, prices and conditions of the earthmoving services provided by the owner drivers to the earthmoving contractors in the commercial and civil construction sectors in south-east Queensland.

CFMEU's application seeks authorisation for its current and future owner driver members in collective negotiations with current and future acquirers of earthmoving services.

Please also find enclosed a copy of the CFMEU's application for authorisation which provides more detail on the proposed arrangements. A copy of the application for authorisation is also available on the ACCC's website www.accc.gov.au (by following the 'Public registers' and 'Authorisations and notifications' links).


Should you wish to provide a submission to the ACCC in relation to the CFMEU's proposed collective negotiation arrangements, please contact Ms Jaime Martin on (03) 9290 1477 or at jaime.martin@acc.gov.au to discuss a suitable time.

After considering all submissions it receives, the next step will be for the ACCC to release a draft decision proposing to either grant authorisation to the CFMEU's application or deny authorisation to the application. There will be another opportunity for interested parties to provide a submission to the ACCC in response to the draft decision.

Please let us know if you decide not to make a submission at this time, but would like to be kept informed of the progress of this matter, including receiving a copy of the ACCC's draft decision. In this regard, we would be grateful if you could provide email contact details to facilitate future correspondence in relation to this application.

A copy of this letter has been placed on the ACCC's public register.

Yours sincerely


David Hatfield
Director
Adjudication Branch