

PATRON

His Excellency Major General Michael Jeffery, AC, CVO, MC (Retd)
Governor-General of the Commonwealth of Australia

20th March 2008

Brian Cassidy
Chief Executive Officer
Australian Competition and Consumer Commission
GPO Box 3131
Canberra ACT 2601

FILE No:
DOC:
MARS/PRISM:

Attention : Danielle Staltari

Dear Sir

Application for Authorisation – Job Futures Ltd

Please find enclosed hard copies of two Applications for Authorisation for Job Futures Ltd. These have also been sent electronically.

I have attached a copy of the letter advising me of a partial fee waiver in relation to these applications and enclose a cheque for the lodgment fee of \$2,500.

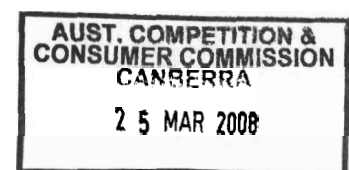
I have included a copy of each of the Annual Report and a history of Job Futures Ltd as background information.

Please let me know if you need any further information.

Yours sincerely



Lisa Fowkes
Chief Executive Officer





**Australian
Competition &
Consumer
Commission**

Our Ref: C2008/111
Contact Officer: Kristy Randall
Contact Phone: (02) 6243 1061

GPO Box 3131
Canberra ACT 2601
23 Marcus Clarke Street
Canberra ACT 2601
tel: (02) 6243 1111
fax: (02) 6243 1199
www.accc.gov.au

29 January 2008

Ms Lisa Fowkes
Chief Executive Officer
Job Futures Ltd
281 Clarence Street
Sydney NSW 2000

Email: Lisa.Fowkes@jobfutures.com.au

Dear Ms Fowkes

Fee waiver request – Job Futures Ltd

I refer to your letter of 22 January 2008 to the Australian Competition and Consumer Commission (ACCC) in respect of two proposed applications for authorisation. In your letter you requested that the fee to be paid in relation to applications to be lodged by Job Futures Ltd be waived in whole or in part.

In support of your request, you submitted the following information:

- there is a limited capacity for Job Futures and/or members to pay the lodgement fee of \$9000 for two applications for authorisation (Form A and Form B); and
- that any application fee would need to be paid from funds that would otherwise be spent in pursuit of the charitable and social objectives of the company and its members.

Having regard to the above, as a person authorised to assess fee waiver requests for and on behalf of the ACCC, I wish to advise that the application fee to be paid by Job Futures has been waived in part. An application fee of \$2500 will apply with respect to the two applications for authorisation to be lodged by Job Futures.

This decision will remain in force for a period of three months. The three month period will expire on 29 April 2008.

A copy of this letter should accompany the applications for authorisation to be lodged by Job Futures. The cover letter to the applications should mention that a letter from the ACCC regarding a partial fee waiver is enclosed.

If the applications for authorisation are lodged by Job Futures after 29 April 2008 a full application fee of \$9000 will apply, unless a subsequent request for a fee waiver is made and ultimately approved by the ACCC.

Should you have any queries in relation to this matter, please do not hesitate to contact Kristy Randall on (02) 6243 1061.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Hatfield', is positioned above the printed name.

David Hatfield
A/g General Manager
Adjudication Branch

PATRON

His Excellency Major General Michael Jeffery, AC, CVO, MC (Retd)
Governor-General of the Commonwealth of Australia

19th March 2008

Brian Cassidy
Chief Executive Officer
Australian Competition and Consumer Commission
GPO Box 3131
Canberra ACT 2601

Dear Sir

Application for Interim Authorisation and Application for Authorisation

Please find attached applications for Authorisation under section 88(1) the Trade Practices Act 1974. Applications are made to authorise exclusionary provisions (Form A) and agreements affecting competition (Form B).

These applications are made out of an abundance of caution as it is the view of Job Futures that neither it nor its members are in breach of the Trade Practices Act.

Interim Authorisation

Job Futures Ltd was established in 1997 by a group of non profit organisations to enable them to tender and work collaboratively in delivering services to support the transition from welfare to sustainable work.

Job Futures Ltd operates on a sub contracting model. Job Futures secures funding (principally from government) and then sub contracts delivery of services to its member organisations. Job Futures acquires services from its members on the basis that they will not tender for the same or similar services on their own behalf.

These arrangements are reflected in the sub contracts that Job Futures enters into with its member organisations and key organisational documents like the "Members Rights and Responsibilities Agreement". In addition to limiting the right of members to tender against Job Futures Ltd works with members included in a tender to consult in relation to price and territory.

In 1997 an Application for Authorisation was lodged by Job Futures and its members in relation to these arrangements. The application was successful and authorisation was granted. This authorisation expired in 2002. The arrangements have continued to operate.



In considering the initial application for Authorisation Commission assessed the likelihood of any anti-competitive detriment as low. Since the application was made it has become clear that the "market" in which Job Futures Ltd operates is highly competitive.

It is argued that Job Futures arrangements with its members have increased the diversity of providers available to deliver employment services. By tendering collaboratively with its members, Job Futures has been able to secure an ongoing role for a significant number of community sector providers in a market where many smaller providers have struggled. If the arrangements were to cease there would be a real risk that many of these organisations would not be able to continue in the market.

Job Futures is seeking interim Authorisation to cover the current period of preparation for the next tenders for employment services. Existing contracts expire on 30 June 2009 and it is expected that requests for tender will be released in the second half of 2008. Job Futures has received a number of applications for membership and is in the process of developing its bid strategy with current and potential members. For abundance of caution, Job Futures Ltd is seeking interim authorisation for this work prior to final determination of the application.

Failure to grant interim authorisation may cause uncertainty amongst future and existing members of Job Futures about our bid strategy. It has the potential to harm Job Futures Ltd prospects in the future tenders.

There is no apparent detriment to any party arising from the granting of Interim Authorisation for these arrangements, which are currently in place. However the Commission should note that two member organisations who are sub contracted to Job Futures Ltd are currently seeking a declaration that a specific clause in the standard sub contract (Clause 22.3) is a restraint of trade and cannot be enforced. This matter is listed before the Supreme Court of Western Australia (CIV 1573 of 2007 Pep Community Services ats Job Futures Ltd and CIV 1572 Community First Inc ats Job Futures Ltd).

The current arrangements have generated significant public benefit in that they have enabled small to medium size non profit organisations to deliver high quality services in a very competitive market. Interim Authorisation is sought to ensure that Job Futures and its members can confidently plan our bid to continue deliver services to the most disadvantaged.

Please let me know if any further information is required.

Yours sincerely



Lisa Fowkes
Chief Executive Officer

PATRON

His Excellency Major General Michael Jeffery, AC, CVO, MC (Retd)
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19th March 2008

Brian Cassidy
Chief Executive Officer
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These applications are made out of an abundance of caution as it is the view of Job Futures that neither it nor its members are in breach of the Trade Practices Act.

Interim Authorisation

Job Futures Ltd was established in 1997 by a group of non profit organisations to enable them to tender and work collaboratively in delivering services to support the transition from welfare to sustainable work.

Job Futures Ltd operates on a sub contracting model. Job Futures secures funding (principally from government) and then sub contracts delivery of services to its member organisations. Job Futures acquires services from its members on the basis that they will not tender for the same or similar services on their own behalf.

These arrangements are reflected in the sub contracts that Job Futures enters into with its member organisations and key organisational documents like the "Members Rights and Responsibilities Agreement". In addition to limiting the right of members to tender against Job Futures Ltd works with members included in a tender to consult in relation to price and territory.

In 1997 an Application for Authorisation was lodged by Job Futures and its members in relation to these arrangements. The application was successful and authorisation was granted. This authorisation expired in 2002. The arrangements have continued to operate.



In considering the initial application for Authorisation Commission assessed the likelihood of any anti-competitive detriment as low. Since the application was made it has become clear that the "market" in which Job Futures Ltd operates is highly competitive.

It is argued that Job Futures arrangements with its members have increased the diversity of providers available to deliver employment services. By tendering collaboratively with its members, Job Futures has been able to secure an ongoing role for a significant number of community sector providers in a market where many smaller providers have struggled. If the arrangements were to cease there would be a real risk that many of these organisations would not be able to continue in the market.

Job Futures is seeking interim Authorisation to cover the current period of preparation for the next tenders for employment services. Existing contracts expire on 30 June 2009 and it is expected that requests for tender will be released in the second half of 2008. Job Futures has received a number of applications for membership and is in the process of developing its bid strategy with current and potential members. For abundance of caution, Job Futures Ltd is seeking interim authorisation for this work prior to final determination of the application.

Failure to grant interim authorisation may cause uncertainty amongst future and existing members of Job Futures about our bid strategy. It has the potential to harm Job Futures Ltd prospects in the future tenders.

There is no apparent detriment to any party arising from the granting of Interim Authorisation for these arrangements, which are currently in place. However the Commission should note that two member organisations who are sub contracted to Job Futures Ltd are currently seeking a declaration that a specific clause in the standard sub contract (Clause 22.3) is a restraint of trade and cannot be enforced. This matter is listed before the Supreme Court of Western Australia (CIV 1573 of 2007 Pep Community Services ats Job Futures Ltd and CIV 1572 Community First Inc ats Job Futures Ltd).

The current arrangements have generated significant public benefit in that they have enabled small to medium size non profit organisations to deliver high quality services in a very competitive market. Interim Authorisation is sought to ensure that Job Futures and its members can confidently plan our bid to continue deliver services to the most disadvantaged.

Please let me know if any further information is required.

Yours sincerely



Lisa Fowkes
Chief Executive Officer

Form A

Commonwealth of Australia

Trade Practices Act 1974 — subsection 88 (1)

EXCLUSIONARY PROVISIONS: APPLICATION FOR AUTHORISATION

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, where a provision of the proposed contract, arrangement or understanding would be, or might be, an exclusionary provision within the meaning of section 45 of that Act.
- to give effect to a provision of a contract, arrangement or understanding where the provision is, or may be, an exclusionary provision within the meaning of section 45 of that Act.

(Strike out whichever is not applicable)

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

1. Applicant

- (a) Name of Applicant:
(Refer to direction 2)

A91084 **Job Futures Limited, on behalf of its members and on its own behalf**

- (b) Description of business carried on by applicant:
(Refer to direction 3)

Job Futures Limited and its members deliver programs and services that assist unemployed and disadvantaged people to gain meaningful work or skills.

In particular, Job Futures Ltd tenders, by way of competitive tender, for Government contracts to deliver these services.

Programs and services are provided either by Job Futures Ltd on its own behalf, or by its Members who enter into a Subcontractor Agreement with Job Futures Ltd.

- (c) Address in Australia for service of documents on the applicant:

.....
Job Futures Ltd, 281 Clarence Street, Sydney, NSW 2000
.....

.....
.....

2. **Contract, arrangement or understanding**

- (a) Description of the contract, arrangement or understanding, whether proposed or actual, for which authorisation is sought:
(Refer to direction 4)

Arrangement between present and future Members of Job Futures Limited to permit Job Futures Limited to tender on behalf of Members for Government contracts to, inter alia, deliver programs and services that assist unemployed and disadvantaged people to gain meaningful work or skills on condition that:

- (1) Members will not tender for the same or similar program or service while delivering that program or a similar program under sub contract to Job Futures Ltd.**
- (2) Job Futures will not tender for new contracts against a member organisation where they have historically provided that program in that location.**

These arrangements are currently contained in the Job Futures Ltd "Members Rights and Responsibilities and National Office Charter of Service" (annexure 2), membership application (annexure 4), and the standard sub contractor agreement between Job Futures Ltd and its member organisations (annexure 3).

Proposed future arrangements are described in Attachment 2 and annexures 5 and 6, and are subject to membership approval at a Sepcial General Meeting to be held on 2nd May 2008.

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....
- (b) Description of those provisions of the contract, arrangement or understanding that are, or would or might be, exclusionary provisions:
(Refer to direction 4)

The "Members Rights and Responsibilities and National Office Charter" reflects the agreements made by members as to the conduct required of members of the Company. This document (set out in full at annexure 2) contains the following provisions:

"As provided in the subcontracts, members may not submit a tender or participate in a competitor's tender against Job Futures Ltd in respect of that business during the course of the contract. Board members and senior staff of member organisations must disclose their personal or organisational involvement with competitors."

“Members have the right to expect that Job Futures will not compete against members where they have already established contracts or business ventures in their own right. “

Clause 22.3 of the Subcontractor Agreement (set out in full at annexure 3) provides that Job Futures acquires the services of the Subcontractor on condition that the Subcontractor does not, during the term of this Agreement, supply, offer to supply or tender to supply the Services or similar services on its own individual account or through a related body corporate to:

(a) the Customer; or

(b) another supplier of services or similar services to the Customer.

(For the purposes of this clause "Customer" means a third party with which Job Futures Limited has signed a Principal Agreement)

The application is also intended to cover future, similar, arrangements – specifically the proposed new Job Futures Membership Charter and the proposed changes to the Constitution (set out at annexures 5 and 6)

See further Attachment 2 of the Supporting submission

- (c) Description of the goods or services to which the contract, arrangement or understanding (whether proposed or actual) relate:

Provision of publicly funded programs and services aimed at assisting people to gain work or to gain work related skills.

- (d) The term for which authorisation of the provision of the contract, arrangement or understanding (whether proposed or actual) is being sought and grounds supporting this period of authorisation:

5 years

3. Parties to the proposed arrangement

- (a) Names, addresses and descriptions of business carried on by other parties or proposed parties to the contract or proposed contract, arrangement or understanding:

The arrangements apply to all current and future members of Job Futures Ltd. The names and addresses of all current members are shown at Annexure 6 of the Support Submission.

Members are non profit organisations engaged of delivery of services including, but not exclusively, programs and services that assist unemployed and disadvantaged people to gain meaningful work or skills.

- (b) Names, addresses and descriptions of business carried on by parties and other persons on whose behalf this application is made:
(Refer to direction 5)

See Annexure 6 of the Support Submission.

4. Public benefit claims

- (a) Arguments in support of application for authorisation:
(Refer to direction 6)

Please refer to Attachment 4 of the Support Submission

- (b) Facts and evidence relied upon in support of these claims:

Please refer to the Support Submission, particularly Attachment 4.

5. Market definition

Provide a description of the market(s) in which the goods or services described at 2 (c) are supplied or acquired and other affected markets including: significant suppliers and acquirers; substitutes available for the relevant goods or services; any restriction on the supply or acquisition of the relevant goods or services (for example geographic or legal restrictions):
(Refer to direction 7)

Please refer to Attachment 3 of the Support Submission

6. Public detriments

- (a) Detriments to the public resulting or likely to result from the contract arrangement or understanding for which authorisation is sought, in particular the likely effect of the contract arrangement or understanding, on the prices of the goods or services described at 2 (c) and the prices of goods or services in other affected markets:
(Refer to direction 8)

Please refer to Attachment 5 of the Support Submission

- (b) Facts and evidence relevant to these detriments:

Please refer to the Support Submission, particularly Attachment 5.

7. Contracts, arrangements or understandings in similar terms

- (a) This application for authorisation may also be expressed to be made in relation to other contracts, arrangements or understandings or proposed contracts, arrangements or understandings, that are or will be in similar terms to the abovementioned contract, arrangement or understanding:

- (b) Is this application to be so expressed?

Yes

- (c) If so, the following information is to be furnished:

- (i) description of any variations between the contract, arrangement or understanding for which authorisation is sought and those contracts, arrangements or understandings that are stated to be in similar terms:

(Refer to direction 9)

.....

Refer Attachment 2 and Annexures 5 and 6

- (ii) Where the parties to the similar term contract(s) are known — names, addresses and descriptions of business carried on by those other parties:
(Refer to direction 10)

Current and future members of Job Futures Ltd. (List of current members at attachment 6)

Members are non profit organisations engaged of delivery of services including, but not exclusively, programs and services that assist unemployed and disadvantaged people to gain meaningful work or skills.

.....
.....
.....

- (iii) Where the parties to the similar term contract(s) are not known — description of the class of business carried on by those possible parties:

Non profit organisations that are providers of programs and services that assist unemployed and disadvantaged people to gain meaningful work or skills.

.....
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8. Joint Ventures

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

.No

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

N/A

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

N/A

9. Further information

- (a) Name, postal address and telephone contact details of the person authorised by the applicant seeking authorisation to provide additional information in relation to this application:

.....
.....

Lisa Fowkes, CEO

Job Futures Ltd

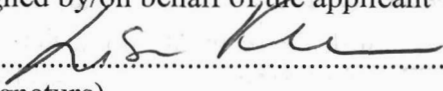
281 Clarence Street, Sydney, 2000

Ph 02 8281 2400 or (020 8281 2435 (direct)

email: lisa.fowkes@jobfutures.com.au

Dated.....17/3/2008.....

Signed by/on behalf of the applicant

..........
(Signature)

Lisa Lawson Fowkes

(Full Name)

Job Futures Ltd

(Organisation)

Chief Executive

(Position in organisation)

DIRECTIONS

1. In lodging this form, applicants must include all information, including supporting evidence that they wish the Commission to take into account in assessing their application for authorisation.

Where there is insufficient space on this form to furnish the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the applicant.

2. Where the application is made by or on behalf of a corporation, the name of the corporation is to be inserted in item 1 (a), not the name of the person signing the application and the application is to be signed by a person authorised by the corporation to do so.
3. Describe that part of the applicant's business relating to the subject matter of the contract, arrangement or understanding in respect of which authorisation is sought.
4. Provide details of the contract, arrangement or understanding (whether proposed or actual) in respect of which the authorisation is sought. Provide details of those provisions of the contract, arrangement or understanding that are, or would or might be, exclusionary provisions.

In providing these details —

- (a) to the extent that any of the details have been reduced to writing — provide a true copy of the writing; and
 - (b) to the extent that any of the details have not been reduced to writing — provide a full and correct description of the particulars that have not been reduced to writing.
5. Where authorisation is sought on behalf of other parties provide details of each of those parties including names, addresses, descriptions of the business activities engaged in relating to the subject matter of the authorisation, and evidence of the party's consent to authorisation being sought on their behalf.
 6. Provide details of those public benefits claimed to result or to be likely to result from the proposed contract, arrangement or understanding including quantification of those benefits where possible.
 7. Provide details of the market(s) likely to be effected by the contract, arrangement or understanding in particular having regard to goods or services that may be substitutes for the good or service that is the subject matter of the application for authorisation.
 8. Provide details of the detriments to the public, including those resulting from any lessening of competition, which may result from the proposed contract, arrangement or understanding. Provide quantification of those detriments where possible.
 9. Where the application is made also in respect of other contracts, arrangements or understandings, which are or will be in similar terms to the contract, arrangement or understanding referred to in item 2, furnish with the application details of the manner in which those contracts, arrangements or understandings vary in their terms from the contract, arrangements or understanding referred to in item 2.
 10. Where authorisation is sought on behalf of other parties provide details of each of those parties including names, addresses, and descriptions of the business activities engaged in relating to the subject matter of the authorisation, and evidence of the party's consent to authorisation being sought on their behalf.

Form B

Commonwealth of Australia

Trade Practices Act 1974 — subsection 88 (1)

AGREEMENTS AFFECTING COMPETITION: APPLICATION FOR AUTHORISATION

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 contact 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.

(Strike out whichever is not applicable)

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

1. Applicant

- (a) Name of Applicant:
(Refer to direction 2)

A91085

Job Futures Limited, on behalf of its Members and on its own behalf.

- (b) Short description of business carried on by applicant:
(Refer to direction 3)

Job Futures Ltd delivers programs and services that assist unemployed and disadvantaged people to gain meaningful work or skills. In particular, Job Futures tenders, by way of competitive tender, for Government contracts to deliver these services.

Programs and services are provided either by Job Futures Limited on its own behalf, or by Members who enter into a Subcontractor Agreement with Job Futures Limited.

Additional information is provided in the Supporting Submission.

- (c) Address in Australia for service of documents on the applicant:

281 Clarence Street, Sydney, NSW 2000

.....
.....

2. Contract, arrangement or understanding

- (a) Description of the contract, arrangement or understanding, whether proposed or actual, for which authorisation is sought:
(Refer to direction 4)

Arrangement between present and future members of Job Futures Limited to permit Job Futures Limited to develop co-operative tendering arrangements which include agreements as to the price that will be tendered and the price paid for services provided by members to Job Futures Ltd; and agreements as to the territories in which members and Job Futures Ltd will tender to deliver services.

Provided that these arrangements are only applicable where Job Futures Ltd intends to sub contract or otherwise enter into a legal arrangement with its member organisations to deliver the program or service.

- (b) Description of those provisions of the contract, arrangement or understanding that are, or would or might, substantially lessen competition:
(Refer to direction 4)

The "Members Rights and Responsibilities and National Office Charter" reflects the agreements made by members as to the conduct required of members of the Company. This document (set out in full at annexure 2) contains the following provisions:

"As provided in the subcontracts, members may not submit a tender or participate in a competitor's tender against Job Futures Ltd in respect of that business during the course of the contract. "

Clause 22.3 of the Subcontractor Agreement (set out in full at annexure 3) provides that Job Futures acquires the services of the Subcontractor on condition that the Subcontractor does not, during the term of this Agreement, supply, offer to supply or tender to supply the Services or similar services on its own individual account or through a related body corporate to:

- (a) the Customer; or***
(b) another supplier of services or similar services to the Customer.
(For the purposes of this clause "Customer" means a third party with which Job Futures Limited has signed a Principal Agreement)

The application is also intended to cover future, similar, arrangements – specifically the proposed new Job Futures Membership Charter and

the proposed changes to the Constitution (set out at Annexures 5 and 6 to the Supporting Discussion)

See further Attachment 2 of the Supporting submission

- (c) Description of the goods or services to which the contract, arrangement or understanding (whether proposed or actual) relate:

Provision of publicly funded programs and services aimed at assisting people to gain work or to gain work related skills

- (d) The term for which authorisation of the contract, arrangement or understanding (whether proposed or actual) is being sought and grounds supporting this period of authorisation:

5 years

3. Parties to the proposed arrangement

- (a) Names, addresses and descriptions of business carried on by other parties or proposed parties to the contract or proposed contract, arrangement or understanding:

The arrangements apply to all current and future members of Job Futures Ltd. The names and addresses of all current members are shown at Attachment 6 of the Support Submission.

- (b) Names, addresses and descriptions of business carried on by parties and other persons on whose behalf this application is made:
(Refer to direction 5)

See Attachment 6 of the Support Submission.

4. Public Benefit Claims

- (a) Arguments in support of authorisation:
(Refer to direction 6)

Please refer to Attachment 4 of the Support Submission

- (b) Facts and evidence relied upon in support of these claims:

Please refer to Attachment 4 of the Support Submission

5. Market Definition

Provide a description of the market(s) in which the goods or services described at 2 (c) are supplied or acquired and other affected markets including: significant suppliers and acquirers; substitutes available for the relevant goods or services; any

restriction on the supply or acquisition of the relevant goods or services (for example geographic or legal restrictions):
(Refer to direction 7)

Please refer to Attachment 3 of the Support Submission

6. Public Detriments

- (a) Detriments to the public resulting or likely to result from the authorisation, in particular the likely effect of the contract, arrangement or understanding, on the prices of the goods or services described at 2 (c) and the prices of goods or services in other affected markets:
(Refer to direction 8)

Please refer to Attachment 5 of the Support Submission

- (b) Facts and evidence relevant to these detriments:

Please refer to Attachment 5 of the Support Submission

7. Contract, arrangements or understandings in similar terms

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

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

Yes

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

- (i) description of any variations between the contract, arrangement or understanding for which authorisation is sought and those contracts, arrangements or understandings that are stated to be in similar terms:
(Refer to direction 9)

Refer Attachment 2 and Annexures 5 and 6

- (ii) Where the parties to the similar term contract(s) are known — names, addresses and descriptions of business carried on by those other parties:

Current and future members of Job Futures Ltd. (List of current members at attachment 6). Members are non profit organisations

engaged of delivery of services including, but not exclusively, programs and services that assist unemployed and disadvantaged people to gain meaningful work or skills.

- (iii) Where the parties to the similar term contract(s) are not known — description of the class of business carried on by those possible parties:

Non profit organisations that are providers of programs and services that assist unemployed and disadvantaged people to gain meaningful work or skills.

8. Joint Ventures

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

No

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

N/A

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

N/A

9. Further information

- (a) Name and address of person authorised by the applicant to provide additional information in relation to this application:


Lisa Fowkes, CEO

Job Futures Ltd

281 Clarence Street, Sydney, 2000

Dated 17/3/2008

Signed by/on behalf of the applicant



(Signature)

Lisa Lawson Fowkes

(Full Name)

Chief Executive Officer/Company Secretary

(Position in Organisation)

DIRECTIONS

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Where there is insufficient space on this form to furnish the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the applicant.

2. Where the application is made by or on behalf of a corporation, the name of the corporation is to be inserted in item 1 (a), not the name of the person signing the application and the application is to be signed by a person authorised by the corporation to do so.
3. Describe that part of the applicant's business relating to the subject matter of the contract, arrangement or understanding in respect of which the application is made.
4. Provide details of the contract, arrangement or understanding (whether proposed or actual) in respect of which the authorisation is sought. Provide details of those provisions of the contract, arrangement or understanding that are, or would or might, substantially lessen competition.

In providing these details:

- (a) to the extent that any of the details have been reduced to writing — provide a true copy of the writing; and
 - (b) to the extent that of any of the details have not been reduced to writing — provide a full and correct description of the particulars that have not been reduced to writing.
5. Where authorisation is sought on behalf of other parties provide details of each of those parties including names, addresses, descriptions of the business activities engaged in relating to the subject matter of the authorisation, and evidence of the party's consent to authorisation being sought on their behalf.
 6. Provide details of those public benefits claimed to result or to be likely to result from the proposed contract, arrangement or understanding including quantification of those benefits where possible.
 7. Provide details of the market(s) likely to be effected by the contract, arrangement or understanding, in particular having regard to goods or services that may be substitutes for the good or service that is the subject matter of the authorisation.
 8. Provide details of the detriments to the public which may result from the proposed contract, arrangement or understanding including quantification of those detriments where possible.
 9. Where the application is made also in respect of other contracts, arrangements or understandings, which are or will be in similar terms to the contract, arrangement or understanding referred to in item 2, furnish with the application details of the manner in which those contracts, arrangements or understandings vary in their terms from the contract, arrangements or understanding referred to in item 2.