



**Australian
Competition &
Consumer
Commission**

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[name]
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Dear [name]

**Job Futures Limited applications for authorisation
- interested party consultation**

The Australian Competition and Consumer Commission (the ACCC) has received two applications for authorisation from Job Futures Limited (Job Futures). The ACCC invites you to comment on the applications. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

Broadly, Job Futures is seeking authorisation for an arrangement between its members (both current and future) to permit Job Futures to:

- tender on behalf of members for government contracts to provide services that assist unemployed and disadvantaged people to gain work on condition that members will not tender for the same or similar program while delivering that program or similar program under sub contract to Job Futures. Job Futures will also not tender for new contracts against a member organisation where they have historically provided that program in that location; and
- 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 and agreements as to the territories in which members and Job Futures will tender to deliver services.

A copy of the applications and the supporting submission is attached. The application, supporting submission and other attachments provided by Job Futures (including its Constitution, Members' Rights and Responsibilities, the Subcontractor Agreement and other documents) will also be available on the ACCC's website <www.accc.gov.au>.

Interim authorisation

Job Futures has also requested interim authorisation for its arrangements. In particular, Job Futures is seeking interim authorisation to cover the current period of preparation for its next tenders for employment services. Job Futures advised that existing contracts expire on 30 June 2009 and it is expected that requests for tender will be released in the second half of 2008.

A copy of the request for interim authorisation is attached.

Interim authorisation protects the arrangements for which authorisation is sought from legal action under the relevant provisions of the *Trade Practices Act 1974* while the ACCC considers and evaluates the merits of the application.

The ACCC endeavours to deal with requests for interim authorisation quickly. In making an assessment as to whether it is appropriate to grant interim authorisation, the ACCC is not required to undertake a full assessment of the benefit and detriment likely to arise as a result of the proposed conduct.

The ACCC decides whether to grant interim authorisation on a case by case basis. Should an applicant request interim authorisation, the ACCC will usually consider a range of factors, including harm to the applicant and other parties if interim is or is not granted, possible benefit and detriment to the public, the urgency of the matter and whether the market would be able to return to substantially its pre-interim state if the ACCC should later deny authorisation.

Request for submissions

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements.

If you intend to provide a submission in relation to Job Futures' applications for authorisation, please do so by **Thursday 24 April 2008**. Submissions in relation to interim authorisation should be provided by **Wednesday 9 April 2008**.

Alternatively, if you would like to provide comments orally, please contact Danielle Staltari on 02 6243 1362 to organise a suitable time.

Submissions, including oral submissions, will be placed on the ACCC's public register subject to any request for exclusion (guidelines are attached).

Timetable

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information.

25 March 2008	Lodgement of applications and supporting submission.
26 March 2008	Public consultation process begins.
9 April 2008	Closing date for submissions on interim authorisation.
Before 23 April 2008	ACCC decision regarding interim authorisation.
24 April 2008	Closing date for submissions from interested parties.
2 May 2008	Applicant responds to issues raised in the public consultation process.
May/June 2008	Draft determination.
June/July 2008	Public consultation on draft determination including any conference if called.
July/August 2008	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the applications at the draft and final determination stages. If you are able to please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the applications.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Danielle Staltari on 02 6243 1362.

Yours sincerely



David Hatfield
Acting General Manager
Adjudication Branch

Interested party list for Job Futures Application for Authorisation

Salvation Army Employment Plus
Mission Australia
Sarina Russo Job Access (Australia)
Work Directions Australia
IPA Personnel Pty Ltd
IPC Employment Pty Ltd
Professional Vocational Services Pty Ltd
AMES
Centacare Australia Ltd
MAXnetwork Pty Ltd
Summit Personnel c/- Griffith Skills Training Centre
ORS Employment Solutions
Break Thru Employment Solutions
Global Skills
Jobs Statewide Incorporated
Job Centre Australia Limited
atWork Australia Pty Ltd
Communicare Inc
Jobs Australia
Mercy Employment
Your Employment Solutions
Campbell Page Employment Services
Wise Employment Ltd
Direct Recruitment
Interact Employment Services
SYC Job Prospects
Holmesglen Employment
Impact People
CADET Training and Employment
Department of Education, Employment and Workplace Relations
National Employment Services Association
Australian Local Government Association
Australian Council of Social Service
Wesley Mission
Anglicare
Recruitment and Consulting Services Association
Australian Consumers Association
The Ability Australia Foundation
National Disability Services Limited
Australian Human Resources Institute
Australian Institute of Training and Development
Council of Small Business Organisations of Australia
Australian Chamber of Commerce and Industry
Consumer Action Law Centre Victoria
Public Interest Advocacy Centre
Department of Consumer and Employment Protection
Office of Industrial Relations
Department of Education, Training and the Arts
Department of Further Education Employment Science and
Technology
Industrial Relations Victoria
Department of Justice

Department of Employment, Education and Training
Office of Industrial Relations
Pep Community Services
Community First Inc