



 Australian
Competition &
Consumer
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Our Ref: C2008/617
Contact Officer: Susan Philp
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14 May 2008

Ms Jenny Moore
Executive Officer
CQ Local Government Association (LGA)
PO Box 1624
Rockhampton QLD 4700

Dear Ms Moore

**Central Queensland Local Government Association
application for authorisation A91087
- interim authorisation**

The Australian Competition and Consumer Commission (the ACCC) has decided to grant interim authorisation in respect of the application for authorisation lodged by the Central Queensland Local Government Association (CQLGA) on 17 April 2008. A copy of the ACCC's decision is attached. Also attached is a summary of the authorisation process.

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 the merits of the application.

Next steps

For your information, the next step in the process is for the ACCC to release a draft determination which will take account of any submissions from the CQLGA and interested parties and will indicate the ACCC's preliminary views on the merits of the application. The ACCC will provide both the CQLGA and interested parties with the opportunity to provide a further submission on the draft determination before the ACCC issues its final decision.

As noted in the attached decision, the ACCC may review its decision on interim authorisation at any time. In this regard the ACCC will reconsider any request at the time of issuing its draft determination. The ACCC's decision in relation to interim authorisation should not be taken to be indicative of whether or not final authorisation will be granted by the ACCC.

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 Susan Philp on 02 6243 1347.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R Chadwick', with a long horizontal flourish extending to the right.

Dr Richard Chadwick
General Manager
Adjudication Branch



Central Queensland Local Government Association application for authorisation A91087

Interim authorisation decision

The Australian Competition and Consumer Commission (the ACCC) has decided to grant interim authorisation in respect of the application for authorisation lodged by the Central Queensland Local Government Association (CQLGA) on 17 April 2008.

The CQLGA is seeking authorisation on behalf of the Regional Councils of Rockhampton, Gladstone, Central Highlands and Isaac for a collective tender process for the provision of waste and recyclables collection and processing from all residential premises in their combined local government areas.

Interim authorisation

The ACCC grants interim authorisation to CQLGA to:

- (i) allow the Councils to prepare tender documentation and invite tenders from interested parties wishing to provide waste and recyclables collection and processing services;
- (ii) evaluate tender submissions;
- (iii) prepare tender recommendations to the Councils' executives; and,
- (iv) for Councils' executives to endorse the recommendations of the Tender Panel and seek to enter into contractual arrangements pending the final determination of the ACCC.

Reasons for decision

In assessing the request for interim authorisation the ACCC considered that the conduct to be engaged in under interim authorisation was unlikely to impact upon the market to any great degree should the Commission subsequently determine that it would be inappropriate to grant authorisation to the substantive arrangements.