



**Australian  
Competition &  
Consumer  
Commission**

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[www.accc.gov.au](http://www.accc.gov.au)

Our Ref: C2008/477  
Contact Officer: David Hatfield  
Contact Phone: (02) 6243 1266

Dear Sir/Madam

**Job Futures Ltd applications for authorisation (A91084 – A91085)  
- draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by Job Futures Ltd (Job Futures) on 26 March 2008.

Job Futures, on behalf of its members, seeks authorisation to allow it to develop collaborative tender arrangements for the purpose of bidding for government funding for the provision of employment services. It also seeks authorisation for its 'non-compete' arrangements, which require that:

- members not tender for the same or a similar program on their own behalf while under sub-contract to Job Futures and

Job Futures will not tender for new contracts against a member organisation where they have historically provided that program in that location.

**Draft determination**

A copy of the ACCC's draft determination is attached. The draft determination will also be available from the ACCC's website ([www.accc.gov.au](http://www.accc.gov.au)).

For the reasons set out in Chapter 6 of its draft determination, the ACCC proposes to grant authorisation to Job Futures to collectively tender on behalf of its members for government employment services contracts. However, the ACCC proposes not to grant authorisation to Job Futures for its current 'non-compete' arrangements.

## Next steps

Job Futures or any interested party who may be dissatisfied with the ACCC's draft determination may request that the ACCC convene a 'pre-decision conference'. A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion. If you wish the ACCC to hold a pre-decision conference in relation to the draft determination, you must notify the ACCC in writing by **10 July 2008**.

Written submissions should be lodged by **17 July 2008** at the following address:

The General Manager  
Adjudication Branch  
Australian Competition & Consumer Commission  
GPO Box 3131  
CANBERRA ACT 2601

Submissions can also be lodged by e-mail to [adjudication@accc.gov.au](mailto:adjudication@accc.gov.au) or by facsimile on 02 6243 1211.

As you are aware, persons lodging a submission with the ACCC may request that information included in the submission be excluded from the public register in certain circumstances. Submissions which are excluded from the public register may still be taken into account by the ACCC when conducting its assessment of an authorisation application. Guidelines for seeking exclusion from the public register are attached for your information.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications. Consistent with its initial indicative timetable, the ACCC expects to issue a final determination for this matter in July/August 2008.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter please contact me on (02) 6243 1266 or at [david.hatfield@accc.gov.au](mailto:david.hatfield@accc.gov.au).

Yours sincerely



David Hatfield  
Director  
Adjudication Branch

**List of interested parties who received letter re Draft Determination  
dated 26 June 2008**

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  
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  
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  
Queensland Department of Employment and Industrial Relations  
Employment Focus  
Westgate Community Initiatives Group Inc  
JobCo. Employment Services Inc  
Tangentyere Job Shop  
Education Centre Gippsland  
Bridging the Gap  
First Choice Employment  
Kott Gunning Lawyers  
Access Community Group  
Auswide Projects  
Counselling and Retraining for Employment  
ET Australia  
Great Lakes Community Resources Association  
Hunter Workways  
Inner West Skills Centre  
Job Quest  
MTC Work Solutions  
Newtrain  
NorthNet Inc  
Upper Hunter Community Services  
WorkVentures Ltd  
YMCA NSW  
Brotherhood of St Laurence  
Diversitat  
Djerriwarrh Employment & Education Services  
ENET  
Finding Futures  
Melbourne Citymission  
New Hope Foundation Inc  
Outer East Employment Services  
WorkForce Plus  
Youth Projects Inc  
Community Employment Options Inc  
Horizon Foundation Inc  
IMPACT Make your Mark  
IsaSkills  
JobCare  
Job Futures - SEQ  
Namtec  
BJL Connecting Communities  
Community First Inc  
Co Scope Job Link Inc  
Kullarri Employment Services  
PEEDAC Pty Ltd  
Pep Community Services  
Geraldton Regional Community Education Centre Association Inc  
Anglicare Tasmania Inc  
Job Futures Tasmania  
Anangu Jobs  
Ironbark (NT) Employment and Training Inc  
Julalikari Council Aboriginal Corpinfo@julalikari.com.au  
Larrakia Nation Aboriginal Corporation

Thamarrurr Community Government Council  
Anglicare SA Inc  
Ostara  
Catholic Social Services Australia