

Buik, Jessica

From: Buik, Jessica
Sent: Monday, 16 March 2009 4:12 PM
To: 'stephen.lucas@sparke.com.au'
Cc: Palisi, Joanne; Bourke, Monica
Subject: ITCRA - interested party submissions

Categories: UNCLASSIFIED
Attachments: A91063 - Information Technology Contract and Recruitment Association (ITCRA) - Submission by Paxus Australia Pty Ltd - 03.03.09 - PR VERSION.PDF
Titus Classification: UNCLASSIFIED

Classification: UNCLASSIFIED

Dear Mr Lucas,

I refer to the Information Technology Contract and Recruitment Association's (ITCRA) application for minor variation to authorisation A91063. As you are aware, the ACCC sought comments from interested parties regarding the application. To date, the ACCC has received one public submission. The ACCC expects to receive a further public submission, which will be forwarded to you as soon as possible.

It would assist the ACCC's consideration if you could please address the following issues:

1. Generally, in what circumstances do clients change suppliers prior to the completion of a contract?
2. How often did clients initiate the contractor transitioning provisions of the Code? Please provide some examples of instances where the contractor transitioning provisions were invoked and the outcome.
3. How will the deletion of the relevant clauses regarding contractor transitioning impact outgoing and incoming suppliers, especially having regard to the requirement for incoming suppliers to honour existing contracts (subclause 7.1.1)?
4. How will the proposed removal of the relevant clauses on contractor transitioning impact clients in their decision to switch suppliers?
5. How will incoming suppliers be obliged to honour future contracts under subclause 7.1.1?
6. Do the dispute procedures in the operational guidelines (Schedule A in the amended Code) apply in respect of contract transitioning?
7. What are the likely public benefits and public detriments from the proposed removal of subclauses 7.1.3, 7.1.4, clauses 7.2, 7.3 and Schedule A?

You may also like to respond to any other issues raised in the attached submission. It would be appreciated if we could receive your response by **30 March 2009**.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do



A91063 -
Information Technolog

not hesitate to contact Jessica Buik on (02) 6243 1061.

Kind regards,

Jessica Buik
Project Officer
Adjudication Branch

Australian Competition and Consumer Commission
23 Marcus Clarke Street, Canberra ACT 2601

P: (02) 6243 1061 | F: (02) 6243 1211 |
E: jessica.buik@acc.gov.au