



**Australian
Competition &
Consumer
Commission**

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Our Ref: A91133
Contact Officer: Lauren Roy
Contact Phone: 02 6243 4940

17 April 2009

Dear Sir/Madam

**Australian Brick and Blocklaying Training Foundation Ltd (ABBTF) application for
revocation and substitution A91133
– interested party consultation**

The Australian Competition and Consumer Commission (the ACCC) has received an application for revocation and substitution from the Australian Brick and Blocklaying Training Foundation Ltd (ABBTF). The ACCC invites you to comment on the application. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

The application for revocation and substitution

The ABBTF is seeking reauthorisation on behalf of itself, the Think Brick Australia and the Concrete Masonry Association of Australia and their members to apply a levy of \$2 per 1,000 clay bricks sold and 10 cents per square metre on concrete masonry walling products sold in Victoria, New South Wales, Queensland, Western Australia, South Australia, Tasmania and Australian Capital Territory.

The ACCC originally granted authorisation to these arrangements on 4 November 2004.

A full copy of the application for authorisation is available on the ACCC's website <www.accc.gov.au>.

Interim authorisation

The current authorisation granted to the ABBTF expires on 17 May 2009. The ABBTF has made a request for interim authorisation to be granted to the arrangements before the current authorisation expires.

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
- interim authorisation

Submissions in relation to interim authorisation should be provided by **Monday 4 May 2009**.

If you intend to provide a submission in relation to ABBTF's application for revocation and substitution, please do so by **Monday 18 May 2009**.

Alternatively, if you would like to provide comments orally, please contact Lauren Roy on 02 6243 4940 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.

15 April 2009	Lodgement of application and supporting submission.
17 April 2009	Public consultation process begins.
4 May 2009	Closing date for submissions on interim authorisation.
May 2009	ACCC decision regarding interim authorisation.
18 May 2009	Closing date for submissions from interested parties.
May/June 2009	Applicant responds to issues raised in the public consultation process.
June/July 2009	Draft determination.

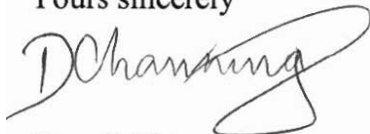
June/July 2009	Public consultation on draft determination including any conference if called.
August/September 2009	Final determination.

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 application at the draft and final determination stages. If you are able to, please provide a 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 application.

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 Lauren Roy on 02 6243 4940.

Yours sincerely



Darrell Channing
Director
Adjudication Branch