

Clancy, Sharon

From: Clancy, Sharon
Sent: Thursday, 15 January 2009 12:30 PM
To: 'charlesm@hallpayne.com.au'
Cc: Chisholm, Shane; Palisi, Joanne
Subject: TRIM: RE: CFMEU Application for Authorisation [SEC=UNCLASSIFIED]
Categories: SEC=UNCLASSIFIED
ACCC Classification: SEC=UNCLASSIFIED
TRIM Dataset: AC
TRIM Record Number: D09/3809
TRIM Record URI: 1088978

Dear Charles

Thank you for your correspondence of earlier today in which you (i) confirm the correct name of the applicant for authorisation for the CFMEU's proposed collective bargaining arrangements and (ii) request an extension of time in which to respond to the materials in the public submissions received by the ACCC.

As advised in the ACCC's letter to you of 21 November 2008, under section 90(10) of the *Trade Practices Act 1974*, the ACCC must determine an application for authorisation within 6 months of receiving an application otherwise the ACCC is deemed to have granted the authorisation.

The ACCC progresses its assessment of applications in a timely manner and to be consistent with the statutory time period, the ACCC generally aims to issue a draft determination in approximately three months. The ACCC's original timetable for the CFMEU matter, which forecast a draft determination being issued in December 2008, was established on this basis. In November, in response to your request for an extension of time to respond to interested parties' submissions until mid-January 2009, the ACCC amended its proposed timetable for the CFMEU matter to indicate that a draft determination will be issued in January / February 2009.

It is important that applicants and interested parties submit complete information by the deadlines set by the ACCC. While the ACCC endeavours to take into account information submitted after these deadlines where possible, it may be limited in its ability to take into account late submissions. I note that a submission provided on 27 January 2009, as you propose, will be received two weeks after the extended deadline. Accordingly, I ask that any submission CFMEU may wish to provide reach the ACCC as soon as possible, to assist the ACCC to take into account your client's views.

Regards

Sharon

Sharon Clancy
Assistant Director
Adjudication Branch
Australian Competition and Consumer Commission
Tel: (02) 6243 1217
Fax: (02) 6243 1211
E-mail: sharon.clancy@acc.gov.au

From: Alexandra Jones [mailto:alexandraj@hallpayne.com.au]
Sent: Thursday, 15 January 2009 10:38 AM
To: Clancy, Sharon
Subject: Re:CFMEU Application for Authorisation

Dear Sharon

We refer to the above matter and **attach** herewith:

15/01/2009

1. copy of facsimile sent to you this morning.

Should you have any questions, please do not hesitate to contact us.

Yours faithfully

|| Alexandra Jones on behalf of **Charles Massy**

Industrial Law Secretary

Hall Payne Lawyers

|| Ground Floor, 27 Peel Street, South Brisbane Qld 4101

|| T (07) 3017 2400 || F (07) 3229 9842

|| www.hallpayne.com.au

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