

## **Submission to the Australian Competition and Consumer Commission (ACCC)**

### **CPB Contractors Pty Limited exclusive dealing notification N10000537**

Submission: HVSCS

Submission date: 17 November 2020

Written submission

- **Background**

HVSCS provides HVNL and safety auditing services and is part of the CPB Contractor's preferred auditor list.

HVSCS was created based on many years of safety experience in construction. HVSCS investigate numerous incidents and accidents involving heavy vehicles and general safety work site requirements.

- **Views on the Notified Conduct**

HVSCS is pleased to be included on CPB Contractor's panel as it is based on the panel lists' experience, expertise, qualifications and demonstrates CPBs commitment to not only legislative compliance but a proactive duty of care to all persons on site and the public out on the road.

HVSCS believes, the Notified Conduct will result in public benefits by supporting the objectives and intent of the Heavy Vehicle National Law (HVNL) in minimising risks to workers, the public, private property and public infrastructure.

Public benefits will result from third party involvement in assessing HVNL related risks and impartial feedback on safety initiatives and processes to reduce risk and achieve continuous improvement that we believe CPB seeks to achieve via this scheme.

HVSCS submits that the public benefits will outweigh the risk of reduced competition because there are multiple parties on the panel with different cost structures. Panel members are all working towards outcomes that benefit the public through reduced risk, increased awareness of HVNL requirements of road transport operators and ultimately saving lives.

HVSCS would recommend CPB Contractors' approach to other clients.

HVSCS believe that due to the high safety risks associated with the work environment, the high exposure of the public to the heavy vehicles and their operators which are all influenced by organisational culture within the thousands of organisations, not every auditor is equally suitable to provide the required level of auditing services. HVSCS is in agreement with CPB Contractors' perspective in attempting to limit the businesses that may provide these services to those that are suitable to engage based on experience, integrity, processes and an evidence driven approach to compliance.

HVSCS considers that, due to the technically complicated nature of the field, not every business is equally suitable to provide the required level of auditing services. HVSCS understands that CPB Contractors perspective and understanding to attempt in limiting the business that may be able to provide a HVNL management plan.

Kind Regards

A solid black rectangular box used to redact the signature of the Director of HVSCS.

Director HVSCS