

BPM Ltd

Background Providers of Music Association Ltd ACN: 631 831 831

Adjudication Branch: Attention Mr Gavin Jones

Australian Competition & Consumer Commission (ACCC)

By email: adjudication@acc.gov.au

Dear Gavin,

Submission in response to the Australasian Performing Right Association Limited (APRA) Request for Interim Authorisation

We note the recent correspondence from Kate Haddock on behalf APRA (15th May 2019) requesting an interim authorisation from the ACCC on the basis that the final determination may not be finalised before the expiration of the current authorisation period on 28th June 2019.

The Background Providers of Music Ltd (BPM) provides in-principle support for APRA's interim authorisation request on the assumption the interim authorisation will"

- i) Remain in place until the ACCC has access to the finalised OneMusic Australia scheme and notes the second recommendation of the recent House of Representatives Parliamentary Inquiry into the Australian Music Industry:

2.69 "The committee recommends that the Australian Competition and Consumer Commission incorporate an assessment of the finalised OneMusic Australia licensing scheme when considering the re-authorisation of the Australian Performing Rights Association"

- ii) Not remain in place for a significant duration after the final determination is handed down by the ACCC as this would offset implementation of conditions to the public detriment.

The BPM seeks confirmation that these assumptions and recommendations are in keeping with ACCC's remit.

Kind regards

Dean Cherny
Chair
BPM Ltd