

EXECUTIVE OFFICE



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: 45740  
Your Refs: SAM/NC-EE and ACCCM/NC-EE  
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May 2011

Senator Nick Xenophon  
Independent Senator for South Australia  
Australian Senate  
Parliament House  
Canberra ACT 2600

Dear Senator Xenophon

**Alleged misleading statements in relation to poker machines**

I refer to the letter from Mr Brian Cassidy of the Australian Competition and Consumer Commission dated 6 May 2011 in relation to this matter.

The Australian Competition and Consumer Commission has assessed your complaint regarding advertising by the Australian Hotels Association and Clubs Australia titled 'Who Voted for a Licence to Punt'. On the basis of that assessment it is unlikely that the advertisement was made in trade or commerce for the purposes of the *Competition and Consumer Act*. Accordingly, I do not intend to take any further action in relation to this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mark Pearson'.

Mark Pearson  
A/g Chief Executive Officer