



23 Marcus Clarke Street
Canberra ACT 2601

GPO Box 3131
Canberra ACT 2601

tel: (02) 6243 1111

fax: (02) 6243 1199

adjudication@acc.gov.au

www.accc.gov.au

Our ref: 62357
Contact officer: Simon Bell
Contact phone: (02) 6243 1232

29 November 2017

Ms Adrienne Pecotic
Chief Executive Officer
Independent Cinemas Australia

By email: ceo@independentcinemas.com.au

Dear Ms Pecotic

**Independent Cinemas Australia Inc. application for authorisation A91587 —
Extension of relevant period under section 90(10A)**

I refer to the above application for authorisation lodged by Independent Cinemas Australia Inc. (ICA) on 13 June 2017 and subsequent discussions regarding timing of the ACCC's assessment of the application.

As you are aware, the relevant period for the ACCC to make a determination was due to end on 13 December 2017. The *Competition and Consumer Act 2010* (the Act) provides for the automatic extension of the relevant period when a conference on a draft determination is requested and held. Under the relevant provisions of the CCA, the statutory deadline was automatically extended to 16 January 2018.

Section 90(10A) of the Act provides that the relevant period may be extended where:

- (a) the ACCC has prepared a draft determination under subsection 90A(1) in relation to the application; and
- (b) the ACCC determines in writing that the period is extended by a specified period of not more than six months; and
- (c) the applicant agrees to the period being so extended.

In accordance with subsection 90(10A)(b) of the Act, the ACCC has determined that the relevant period for consideration of the abovementioned application for authorisation has been extended until **22 March 2018**, subject to your agreement that the relevant period be so extended.

We seek confirmation of your agreement that the relevant period be extended until 22 March 2018. We would appreciate receiving your confirmation in writing as soon as possible and by no later than **close of business on Friday 1 December 2017**. Your response may be emailed to adjudication@acc.gov.au.

Should ICA not agree to extend the relevant period to 22 March 2018, the ACCC intends to proceed to issue a final determination by 16 January 2018.

A copy of this letter will be placed on the ACCC's public register.

If you wish to discuss any aspect of this matter please do not hesitate to contact Simon Bell on (02) 6243 1232.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D Jones', is positioned above the typed name.

David Jones
General Manager
Adjudication