



Our ref: AA1000456  
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Dear Sir/Madam

## **Office of Liquor and Gaming Regulation application for re-authorisation AA1000456—interested party consultation**

The Australian Competition and Consumer Commission (the **ACCC**) has received an application for re-authorisation from the Office of Liquor and Gaming Regulation (**OLGR**). The ACCC invites you to comment on the re-authorisation application as well as the OLGR's application for interim authorisation. Attached is a summary of the authorisation process including how to make a submission to the ACCC. If you do not wish to make a submission, no further action is required from you.

The OLGR is seeking re-authorisation for current and future Liquor Accord members and Safe Night Precinct local board members to make liquor accord agreements that contains a price control or supply control provision in the terms set out in (or in narrower terms than) a pro-forma liquor agreement (**PLAA**). OLGR seeks re-authorisation for 5 years.

A full copy of the application for authorisation is available on the [ACCC's website](#).

The ACCC previously granted OLGR authorisation (A91385 & A91386) for the above conduct for 5 years. This authorisation will expire on 9 January 2020.

### **Interim authorisation**

OLGR has requested interim authorisation to enable liquor accord members to continue to adopt price and supply controls in the period between the existing authorisation expiring and the ACCC making a final decision about the application for re-authorisation.

The ACCC endeavours to deal with requests for interim authorisation quickly. In making an assessment as to whether it is appropriate to grant interim authorisation, the ACCC is not required to undertake a full assessment of the benefit and detriment likely to arise as a result of the proposed conduct.

The ACCC decides whether to grant interim authorisation on a case by case basis. Should an applicant request interim authorisation, the ACCC will usually consider a range of factors, including:

- harm to the applicant and other parties if interim is or is not granted
- possible benefit and detriment to the public
- the urgency of the matter, and
- whether the market would be able to return to substantially its pre-interim state if the ACCC should later deny authorisation.

### **Request for submissions**

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements.

If you intend to provide a submission in relation to OLGR's application for authorisation, or interim authorisation, please do so by **29 November 2019**. Submissions should be emailed to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) with the subject AA1000456 – Office of Liquor and Gaming Regulation – submission'.

Alternatively, if you would like to provide comments orally, please contact Miriam Kolacz on (03) 9658 6476 to organise a suitable time.

Submissions, including oral submissions, will be placed on the ACCC's public register subject to any request for exclusion. Please see the [ACCC's publication Guidelines for excluding information from the public register](#).

## Timetable

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information

<b>5 November 2019</b>	Lodgement of application and supporting submission.
<b>12 November 2019</b>	Public consultation process begins.
<b>29 November 2019</b>	Closing date for submissions on both interim authorisation and the substantive application.
<b>6 December 2019</b>	Applicant responds to issues raised in the public consultation process.
<b>December 2019</b>	Draft determination and decision regarding interim authorisation decision.
<b>January/February 2019</b>	Public consultation on draft determination including any conference if called.
<b>February 2019</b>	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the application at the draft and final determination stages. If you are able to please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the application.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Miriam Kolacz on (03) 9658 6476 or [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au).

Yours sincerely



Gavin Jones  
Director  
Adjudication Branch

**Office of Liquor and Gaming Regulation - AA1000456 – list of interested parties consulted**

Aboriginal and Torres Strait Islander Legal Service (Qld) Ltd

Alcohol and Drug Foundation Queensland

Asahi Premium Beverages

Australian Drug Foundation

Australian Hotels Association

Australian Liquor Stores Association

Australian Medical Association

Australian National Council on Drugs

Clubs Queensland

Department of Health

Diageo

Distilled Spirits Industry Council of Australia

DrinkWise Australia Ltd

Greg Powell (Secretary CBD Townsville Liquor Accord)

Mark Napier (Mad Cow Tavern)

National Drug & Alcohol Research Centre

National Drug Research Institute

Professor Mike Daube (Co-Chair, National Alliance for Action on Alcohol)

Queensland Aboriginal & Torres Strait Islander Corporation for Drug & Alcohol Dependent Services

Queensland Council of Social Service

Queensland Health

Queensland Hotels Association

Queensland Network of Alcohol and Other Drug Agencies

Queensland Police

Salvation Army, South Queensland Division

Secure Queensland

St Vincent de Paul Society Queensland

Townsville City Council

Townsville City Council, Healthy and Safe City Committee

Youth Substance Abuse Service

The Liquor Accords and Safe Night Precincts in Queensland