



Our ref: AA1000457
Your Ref: 181762
Contact officer: Hayley Munro-Smith
Contact phone: 03 9910 9481

19/12/2019

Mark Love
Legal Director
Bradley Allen Love Lawyers

By email: mark.love@ballawyers.com.au

Dear Mr Love

**Co-Operative Supermarkets Australia Limited (CSA) – application for authorisation
AA1000457 – interim authorisation**

The Australian Competition and Consumer Commission (the **ACCC**) has granted interim authorisation in respect of the application for authorisation lodged by CSA and its members (**the Applicants**) on 5 November 2019.

Interim authorisation protects the arrangements for which authorisation is sought from legal action under the relevant provisions of the *Competition and Consumer Act 2010* (Cth) while the ACCC considers and evaluates the merits of the application.

Interim authorisation has been granted to enable the Applicants to collectively bargain with suppliers of goods and services to the Australian grocery industry. Interim authorisation does not extend to the CSA and its members entering into any contracts with suppliers.

Interim authorisation also does not extend to the Applicants imposing and enforcing the proposed 'active member test' that would require members to actively trade in goods and services offered through CSA's system during each rolling two month period. The ACCC will consider the public benefits and public detriments likely to result from the imposition of the active member test further before making a draft decision about the substantive application for authorisation.

Next steps

For your information, the next step in the process is for the ACCC to release a draft determination which will take account of any submissions from the Applicants and interested parties and will indicate the ACCC's preliminary views on the merits of the application. The ACCC will give the Applicants and interested parties the opportunity to provide a further submission on the draft determination before the ACCC issues its final decision.

As noted in the attached decision, the ACCC may review its decision on interim authorisation at any time. The ACCC's decision in relation to interim authorisation should not be taken to be indicative of whether or not final authorisation will be granted by the ACCC.

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 Hayley Munro-Smith on 03 9910 9481.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'G Jones', with a long horizontal flourish extending to the right.

Gavin Jones
Director
Adjudication