
From: Tess Macrae
Sent: Tuesday, 23 April 2024 10:22 AM
To: 'Ben John'; Kate Haddock
Cc: Tanya Hobbs; Alasdair Doctor; Surina Sood; Andrew Ng; Sophie Magliano
Subject: RE: AA1000661 - APRA authorisation - request for information [SEC=OFFICIAL]
[ACCC-ACCCANDAER.FID3770939]

OFFICIAL

Dear Ben and Kate,

Thank you for providing APRA's response to the request for information. We seek a few points of clarification.

Your letter notes that APRA is seeking authorisation in respect of all aspects of its distribution arrangements. Can you please provide us with a letter or submission with an updated response to 4.1 to the application to reflect this? This will then be placed on our public register.

4.1. A description of the proposed conduct and any documents that detail the terms of the proposed conduct

- The Applicant's input arrangements arising from the standard form of assignment for the Applicant's members, subject to the resignation, opt-out and licence back provisions in the Applicant's constitution (**Input Conditions**);
- The Applicant's reciprocal arrangements with overseas collecting society by which the collecting societies grant each other the exclusive rights to licence works they control (**Reciprocal Terms**);
- The Applicant's output arrangements, in particular the blanket licensing schemes allowing users to perform or communicate any of the works in its repertoire (**Blanket Licences**); and
- The requirement that no less than 50% of any distribution for a work must be allocated to the relevant writer(s) (**50% Rule**).

Please also confirm with respect to the ACCC's request for information:

1. that the letter and attachments provided on Friday can be placed on the public register (other than attachment 2b)
2. the reasons for seeking [exclusion](#) over certain materials in 2b
3. that you do not have any concerns with the ACCC's original request for information being placed on the public register.

We would appreciate your response by **noon 24 April**.

Please do not hesitate to get in touch with us to discuss.

We have also had a new team member join, so confirming that working on the matter with me is:
Tanya Hobbs (02 6243 1029)
Sophie Magliano (03 9658 6429)

Andrew Ng (03 9290 1414)
Surina Sood (03 9658 6402)

Regards,

Tess Macrae *(she/her)*

Director | Competition Exemptions Branch | Mergers, Exemptions & Digital Division

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The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.
