



Our ref: AA1000477
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Dear Applicant,

**Coles Group application for authorisation on behalf of itself and participating supermarkets
AA1000477 – request for update**

Background

On 23 March 2020, the Australian Competition and Consumer Commission (**ACCC**) granted interim authorisation to Coles, Woolworths, ALDI and Metcash to cooperate in response to the COVID-19 pandemic (the **Original Participants**). On 26 March 2020, the initial interim authorisation was revoked and replaced with a conditional interim authorisation, which remains in place.

The conditional interim authorisation allows the Participating Supermarkets (as defined) to engage in the **Proposed Conduct** (as defined).

Next steps

The ACCC is interested in your views on how effectively the conditional interim authorisation has assisted the Participating Supermarkets so far. In particular:

- Whether, and if so, how effectively, your organisation and (to the extent you are able to comment) the other Participating Supermarkets has been able to achieve each of the four primary purposes of the conditional interim authorisation;¹
- The extent to which your organisation has engaged in conduct in reliance on the conditional interim authorisation that has been outside of, or separate to, the Supermarkets Taskforce and its subcommittees and working groups;
- A detailed list of the written information or data that has been shared (if any) by or with your organisation as part of conduct in reliance on the conditional interim authorisation;
- Details of any plans for future cooperation in reliance on the conditional interim authorisation, in light of the gradual return of consumer demand to normal levels and the improving public health situation; and
- Any changes to the conditional interim authorisation you consider may be desirable.

We would be grateful for your response to be sent by **8 May 2020** to will.sommers@acc.gov.au.

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

¹ Being:

- i. facilitating or ensuring the acquisition and/or supply of Retail Products in Australia (especially of those Retail Products in short supply);
- ii. ensuring fairer access to Retail Products among the general public;
- iii. providing greater access to Retail Products to those most in need (including the elderly and disadvantaged members of the public, such as consumers who may be too unwell to travel to the supermarket); and
- iv. facilitating access to Retail Products in remote or rural areas.

Yours sincerely

Kai Fu
Director
Adjudication

APPENDIX A: List of recipients of this letter

Coles Group Limited

ALDI Stores

Metcash Limited

Woolworths Group Limited