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## By email

Dear Sir/Madam

### **Steele Members Pty Ltd application for authorisation AA1000520 – interested party consultation**

The Australian Competition and Consumer Commission (the **ACCC**) is currently conducting a consultation process on an application for authorisation, received from Steele Members Pty Ltd (**Steele**) on behalf of itself and its current and future members, on 25 June 2020.

The purpose of this letter is to invite you, as a potentially interested party, to comment on the application.

### **Application for authorisation**

Steele and its members seek authorisation for two types of conduct:

- (a) joint advertising and selling activities, intended to be carried out in future by Steele members (including the operation of an online store) and
- (b) collective bargaining conduct, which involves Steele negotiating and entering into supply arrangements regarding the terms of supply of various products to its members, including steel sheet and coil. Steele submits it currently engages in the collective bargaining conduct under protection of the joint venture defence in the *Competition and Consumer Act 2010* but that given that its members now wish to engage in the joint advertising and selling activities, it is also seeking authorisation for the collective bargaining conduct.

Steele is seeking authorisation for 5 years.

Steele is a national buying group operating in Australia comprised of 32 members which supply steel and other metal roofing products, along with associated metal building products. In addition, Steele also provides branding, marketing and specialist engineering advice services to some, but not all, of its members.

Steele has also requested interim authorisation to allow it to engage in the conduct prior to the ACCC's final determination in relation to the substantive application for authorisation. Steele requests a decision on interim authorisation be made at the time that the ACCC issues a draft determination.

A copy of the application is available on the ACCC website:

[www.acc.gov.au/AuthorisationsRegister](http://www.acc.gov.au/AuthorisationsRegister)

### **Making a submission**

The ACCC invites you to make a submission on the application for authorisation. Please provide information, evidence, and views about the likely public benefits, effects on

competition and any other public detriment that you consider will result from the proposed conduct.

If you intend to provide a submission, please do so by **24 July 2020**. If you wish to request an extension, please contact us on the details below as early as possible. Submissions after the due date (or after any extension granted) may not be taken into account. Submissions in relation to interim authorisation should also be provided by **24 July**.

Written submissions should use the coversheet attached to the email with this letter and be emailed to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) with the subject 'AA1000520 – Steeline Members–submission'. Alternatively, if you would like to provide comments orally, please contact Tessa Cramond via the details at the end of this letter.

Your submissions **will** be placed on the ACCC's [authorisations public register](#) unless you have made a request (with reasons) for us to exclude part or all of the submission from the public register (see [Guidelines for Excluding Information from the Public Register for more information on how to make a request and how we assess requests](#)).

## Timetable

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information, and an up to date version (including any changes) will be posted on the public register.

Indicative date	Stage in assessment process
<b>25 June 2020</b>	Lodgement of application and supporting submission.
<b>1 July 2020</b>	Public consultation process begins.
<b>24 July 2020</b>	Closing date for submissions from interested parties.
<b>August 2020</b>	Applicant responds to issues raised in the public consultation process.
<b>September 2020</b>	Draft determination and decision about interim authorisation.
<b>October 2020</b>	Public consultation on draft determination including any conference if called.
<b>November 2020</b>	Final determination.

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 Tessa Cramond on 03 9658 6516 or [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au).

Yours sincerely



Gavin Jones  
Director  
Adjudication