



Our ref: AA1000547
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Dear Sir/Madam

7-Eleven application for revocation of authorisation AA1000500 and substitution of AA1000547 – interested party consultation and interim authorisation

Initial Consultation

On 11 March 2021, the Australian Competition and Consumer Commission (the **ACCC**) received an application for re-authorisation from 7-Eleven Stores Pty Limited (**7-Eleven**) (revocation and substitution). This letter is to invite you to comment. You are welcome to pass this letter on to others who may wish to make submissions.

7-Eleven is seeking re-authorisation¹ for the same arrangements as those previously authorised by the ACCC in 2020 in the context of the ongoing difficulties faced by 7-Eleven and its Franchisees due to reduced consumer demand as a result of the COVID-19 pandemic. This authorisation expires on 31 March 2021 and 7-Eleven seeks authorisation for an additional 6 months.

In particular re-authorisation would give 7-Eleven legal protection to continue to enter arrangements with its franchisees to either temporarily close or reduce the trading hours of certain stores, either operated by those franchisees, or through its sister entity, Convenience Holdings Pty Limited. A full copy of the application for re-authorisation is available on the ACCC's [authorisations public register](#).

Interim authorisation

7-Eleven also requested urgent interim authorisation in its application to allow it to continue to engage in the conduct, prior to the ACCC's final determination in relation to the substantive application for authorisation.

On 25 March 2021, the ACCC granted interim authorisation² subject to the same notification condition whereby:

- 7-Eleven must notify the ACCC of the Franchisees it proposes to approach for temporary closure or a reduction in operating hours under the Conduct, at least 24 hours prior to approaching those Franchisees;
- 7-Eleven must notify the ACCC of:
 - (a) those Franchisees that have agreed to either temporarily close or reduce the trading hours, and
 - (b) any corporate owned store that is temporarily closed and/or has the hours reduced. Such notification must be provided as soon as practicable after an arrangement has been

¹ For information about Authorisations, please see <https://www.accc.gov.au/business/exemptions/authorisation>

² Interim authorisation statement of reasons available from the 7-Eleven Stores Pty Limited entry on the ACCC's public register at <https://www.accc.gov.au/public-registers/authorisations-and-notifications-registers/authorisations-register>

reached but not less than 48 hours after the implementation of the store's closure or reduction in hours.

Making a submission

The ACCC invites you to make a submission on the application for re-authorisation and its decision to grant urgent interim authorisation. In making your submission, 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 **15 April 2021**. 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.

Please email your submission to exemptions@acc.gov.au, with the subject 'AA1000547 – 7-Eleven – submission'. Alternatively, if you would like to provide comments orally, please contact Tanya Hobbs via the details at the end of this letter.

Your submission **will** be placed on the ACCC's [authorisations public register on the internet](#) 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
11 March 2021	Lodgement of application and supporting submission.
25 March 2021	Urgent interim authorisation and public consultation process begins.
15 April 2021	Closing date for submissions from interested parties.
End April 2021	7-Eleven responds to issues raised in the public consultation process.
May 2021	Draft determination.
June 2021	Public consultation on draft determination including any conference if called.
July 2021	Final determination.

This letter has been placed on the ACCC's public register. If you have any questions or wish to discuss any aspect of this matter, please do not hesitate to contact Tanya Hobbs on 02 6243 1029 or exemptions@acc.gov.au.

Yours sincerely



Joanne Palisi
Director
Competition Exemptions