



Our ref: AA1000477
Your ref: M.FID3816439
Contact officer: Will Sommers
Contact phone: (03) 9910 9444

23 Marcus Clarke Street
Canberra ACT 2601

GPO Box 3131
Canberra ACT 2601

tel: (02) 6243 1111
fax: (02) 6243 1199

adjudication@acc.gov.au

www.acc.gov.au

3 April 2020

Jessica Reid
Partner
Maddocks

By email: [REDACTED]

Dear Ms Reid

Coles Group Limited - application authorisation AA1000477 – ACCC decision regarding request for inclusion in interim authorisation

I refer to your request on 31 March 2020 that current and future members of Retail Drinks Australia in the classes described in **Attachment A** (the **Specified Members**) obtain the protection of the interim authorisation granted on 26 March 2020 to Coles Group Limited and other specified grocery retailers (the **Interim Authorisation**), to enable the Specified Members to discuss, enter into or give effect to any recommendation made by the Supermarket Taskforce or the main working sub-committee of the Taskforce, that is approved by the Minister, at any time.

In accordance with paragraph 25 of the Interim Authorisation, the ACCC has decided to approve Retail Drinks Australia's request for the Specified Members to obtain the protection of the Interim Authorisation on the condition that the Specified Members will be covered by the Interim Authorisation only in relation to conduct that is limited to implementing recommendations of the Supermarket Taskforce, or the main working sub-committee of the Supermarket Taskforce, that have been approved by the Minister for Home Affairs.

Duration of interim authorisation

The conditional interim authorisation will remain in effect until the ACCC makes a final determination regarding the application for authorisation made by Coles Group Ltd, or revokes the Interim Authorisation. Coles Group Limited has requested authorisation for six months from the date of the ACCC's final determination.

Reconsideration of interim authorisation

The ACCC may review a decision on interim authorisation at any time, including in response to feedback raised following interim authorisation. The ACCC's decision in relation to the interim authorisation should not be taken to be indicative of whether or not the final authorisation will be granted.

We have updated the ACCC's public register to include the Specified Members on the list of entities granted interim authorisation.

If you wish to discuss any aspect of this matter, please do not hesitate to contact Will Sommers on (03) 9910 9444.

Yours sincerely

A handwritten signature in grey ink, appearing to read 'DMcCracken-Hewson', with a long horizontal flourish extending to the right.

Daniel McCracken-Hewson
A/g General Manager
Adjudication Branch

ATTACHMENT A

Members of Retail Drinks Australia protected by the Interim Authorisation

- a) All current and future members of Retail Drinks Australia that are classed as 'Liquor Store Members', being a party that owns at least one liquor store, but is not part of a large chain (i.e. 100 stores or more across 3 or more states of territories).
- b) All current and future members of Retail Drinks Australia that are classed as 'Digital and Online Members' (i.e. a party that supplies liquor via delivery services and/or online sales, but not via physical liquor stores).
- c) The following 'banner groups':
 - i. Independent Liquor Retailers, its related bodies corporate, and the class of persons comprising each of the owners and/or operators of liquor stores trading under a brand owned or licensed by Independent Liquor Retailers or its related bodies corporate; and
 - ii. Independent Liquor Group, its related bodies corporate, and the class of persons comprising each of the owners and/or operators of liquor stores trading under a brand owned or licensed by Independent Liquor Group or its related bodies corporate.