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23 June 2021

Digital Platforms Branch | Mergers, Exemptions & Digital Division
Australian Competition & Consumer Commission

**Country Press Australia response to Facebook's submission
to CPA's Application for Authorisation**

Country Press Australia (CPA) broadly agrees with Facebook's comments on meetings held between the two parties during the time prior to the lodgement of the Application for Authorisation.

CPA would characterise these meetings as discussions rather than negotiations. These preliminary discussions were primarily aimed at establishing a framework around which negotiations could be conducted.

CPA agrees these discussions were constructive.

Following enquiries with the ACCC, it was our understanding that to avoid breaching Consumer and Competition laws, for CPA to act collectively on behalf of members with a view to reaching a commercial outcome, it was required to lodge the Application.

When Facebook states in its response;

"Against this background, it is unclear to Facebook why CPA requires this collective bargaining authorisation."

CPA believes that under Australian law it is a legal requirement.

There was intention that this Application, would reflect either way on the discussions to date, the manner of the discussions nor the intent of any of the parties.

Facebook has specifically addressed two other matters;

1. That the length of authorisation requested (10 years) is longer than required

CPA accepts the dynamic nature of the industry, but does not concede this diminishes the need for a longer authorisation period in this matter, and does not consider Facebook has provided a sound case for a lesser period.



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2. CPA should be required to notify Facebook and the ACCC of any new members of the collective bargaining group in advance

CPA maintains a list of current members that would be made available to the ACCC and the Digital platforms for a related purpose as required.

It is unclear in advance of what event a new member would be required to be advised.

CPA does not consider it necessary to provide advice of each new member if it does not have a direct impact on either Facebook or the ACCC.

Thank you for the opportunity to respond.

Yours faithfully

COUNTRY PRESS AUSTRALIA



President