



Our ref: CB10000456
Contact officer: Jaime Martin
Contact phone: (03) 9290 1477

15/08/2018

www.accc.gov.au

Dear Sir/Madam

Collective Bargaining Notification CB10000456 lodged by PaintRight Ltd—interested party consultation

Introduction

The Australian Competition and Consumer Commission (the **ACCC**) has received a new collective bargaining notification from PaintRight Ltd (**PaintRight**) on behalf of 57 independently owned and operated paint retailers across Australia (the **notification**). It has also lodged the notification on behalf of future paint retailers that join the PaintRight collective bargaining group.

PaintRight proposes to collectively bargain price and other terms on behalf of members in relation to the provision of wholesale and retail support services to members by 30 nominated suppliers, including suppliers of paint, paint equipment and accessories, wallpaper, ladders, aluminium trestles, banking services, and marketing and web-based services.

The purpose of this letter is to invite your comments as a party who may be interested in providing a submission to the ACCC in relation to these arrangements. Please see the ACCC's publication '[Small Business Collective Bargaining Notifications & the Competition and Consumer Act](#)' for a summary of the notification process and how to make a submission to the ACCC.

A copy of the notification is available on the ACCC's website [Collective bargaining notifications register](#).

Background

PaintRight has previously had immunity under similar collective bargaining notifications lodged with the ACCC in 2009, 2012 and 2015.

PaintRight's current collective bargaining notification was lodged on 10 August 2018 and it seeks immunity for up to 10 years.

The legal protection provided by a collective bargaining notification commences 14 days after the notification is lodged, unless the ACCC objects within this period.

Request for submissions

The ACCC invites you to make a submission on the likely public benefits and the likely effect on competition, or any other public detriment, from PaintRight's proposed collective bargaining arrangements.

Submissions on the notification should be provided by **24 August 2018**. Please email submissions to adjudication@acc.gov.au with the subject "CB10000456 – 'PaintRight' – submission".

Alternatively, if you would like to provide comments orally, please contact Jaime Martin on (03) 9290 1477 or via email to adjudication@acc.gov.au to organise a suitable time.

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

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the ACCC's review of the notification. Please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the notification.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please contact Jaime Martin on (03) 9290 1477 or via email to adjudication@acc.gov.au.

Yours sincerely



Susie Black
A/g Director
Adjudication