



Our ref: CB10000467
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Dear Sir/Madam

Collective Bargaining Notification lodged by Mood Media Australia Pty and Stingray Group Inc CB10000467—interested party consultation

Introduction

On 31 May 2019 the Australian Competition and Consumer Commission (**the ACCC**) received a collective bargaining notification from Mood Media Australia Pty and its related bodies corporate (**Mood Media**) and Stingray Group Inc, and its related bodies corporate, (**Stingray Group**) to enable Mood Media and Stingray Group to collectively negotiate the terms and conditions of music license arrangements to be entered into between each of them and APRA AMCOS, including licence fees.

Mood Media and Stingray Group lodged a separate notification in relation to a proposal to collectively bargain with APRA AMCOS on 11 February 2019 (CB10000463). On 28 March 2019 the ACCC decided not to object to notification CB10000463.

The current notification is in similar terms to notification CB10000463, except that in the current notification related bodies corporate to Mood Media and Stingray Group are also named as notifying parties.

A copy of the Mood Media and Stingray Group's notification is available from the [ACCC's Public Register](#).

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.

Collective bargaining notification process

Collective bargaining occurs where two or more competitors come together to negotiate terms and conditions (including price) with a supplier or customer. Without the legal protection provided by a collective bargaining notification, these arrangements can breach the *Competition and Consumer Act 2010* (the Act).

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

When the ACCC receives a collective bargaining notification it will assess the likely public benefits and detriments, including any lessening of competition, to determine whether it should object to the notification.

You are invited to comment on the likely public benefits and likely effect on competition, or any other public detriment, from Mood Media and Stingray Group's proposed collective bargaining arrangements.

Submissions should be provided by **Wednesday, 26 June 2019**. Please email submissions to adjudication@acc.gov.au with the subject title "CB – Mood Media and Stingray Group– submission."

Alternatively, if you prefer to make an oral submission please contact Victoria Christie on 03 9290 6964 to set up a time.

Submissions received by the ACCC will be placed on a public register, subject to any requests for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

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 Victoria Christie on 03 9290 6964.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'G Jones', with a long horizontal flourish extending to the right.

Gavin Jones
Director
Adjudication