



Our ref: CB10000472
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25/11/2019

Dear Interested Party

Collective Bargaining Notification (CB10000472) lodged by TSG Franchise Management Pty Ltd — interested party consultation

Introduction

The Australian Competition and Consumer Commission (**the ACCC**) has received a collective bargaining notification from TSG Franchise Management Pty Ltd (**TSG**). TSG wishes to negotiate a supply agreement on behalf of TSG Franchisees with British American Tobacco Australia Limited.

A copy of the 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 TSG's members' proposed collective bargaining arrangements.

Submissions should be provided by close of business **9 December 2019**. Please email submissions to adjudication@acc.gov.au with the subject title "CB10000472 – TSG Franchise Management Pty Ltd – submission."

Alternatively, if you prefer to make an oral submission please contact Anna Pound or Louisa Wilson on 03 9290 6920/1474.

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 Anna Pound or Louisa Wilson on 03 9290 6920/1474.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D. C.', with a small dot at the end of the second character.

Danielle Staltari
Director
Adjudication Branch

Interested parties

7Eleven
ACT Health
Australasian Association of Convenience Stores
Australian Retailers Association
BP
Caltex
Cigarettes Tobacco Cigars
Cignall
Coles
Council of Small Business of Australia
Department of Health (cwlth)
Drakes
Freechoice Australia
Imperial Tobacco Australia
Master Grocers Australia
Metcash
National Independent Retailers Association
Northern Territory Department of Health
NSW Health
Peregrine Group (Smokemart)
Phillip Morris Australia
QLD Health
Ritchies
SA Health
Tas Health
Tobacco Station Group
Tobacco Imports
Vic Health
Woolworths
WA Health