



Our ref: CB10000473
Contact officer: Tanya Hobbs
Contact phone: (02) 6243 1029

18/02/2020

www.accc.gov.au

Dear Sir/Madam

Collective bargaining notification CB10000473 lodged by the Independent Vending Machine Operators Association (Australia) Incorporated – interested party consultation

The Australian Competition and Consumer Commission (the **ACCC**) is currently seeking comments on a collective bargaining notification received from the Independent Vending Machine Operators Association (Australia) Incorporated (**IVMOA**) on 30 January 2020. Broadly, IVMOA proposes to negotiate collective buying agreements with suppliers of vending goods on behalf of its members.

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 and the notification process

Collective bargaining occurs when two or more competitors come together to negotiate terms and conditions (including prices) 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 IVMOA's proposed collective bargaining arrangements. Submissions should be provided by close of business **2 March 2020**. Submissions should be emailed to adjudication@acc.gov.au with the subject "CB10000473 – IVMOA – submission".

Alternatively, if you prefer to make an oral submission please contact Tom Whitby on 02 6243 1012 or Tanya Hobbs on 02 6243 1029.

Submissions received by the ACCC will be placed on a public register, subject to any request 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 Tanya Hobbs on 02 6243 1029.

Yours sincerely

A handwritten signature in blue ink that reads "DChanning". The signature is stylized with a large, sweeping 'D' and a long, horizontal stroke at the end.

Darrell Channing
Director
Adjudication Branch

Interested Parties list

Australian Vending Association
Coke Vending
Provender Vending
Benleigh Vending Systems
SVA Vending
Ausbox Vending
Coca-Cola Amatil
Snackbrands
Mars Australia
Arnott's Biscuits Ltd
Nestle
Mondelez Australia
Freedom Foods Group Ltd
Sanitarium
Carman's Fine Foods Pty Ltd
Rite Bite Group Pty Ltd
Lion Dairy & Drinks
Betta Foods
Funtastic