



Australian Competition & Consumer Commission

PO Box 1199
Dickson ACT 2602
470 Northbourne Ave
Dickson ACT 2602
Australia
Ph (02) 6243 1111
Fax (02) 6243 1199

Our Ref: C2002/1081
Contact Officer: Amanda Dadd
Contact Phone: 02 6243 1391

26 March 2003

«Title» «FirstName» «LastName»
«JobTitle»
«Company»
«Address1»
«City» «State» «PostalCode»

Dear «Title» «LastName»

A copy of this letter
was sent to the
attached list of
interested parties.

26/3/03

Application for Authorisation lodged by the Australian Hotels Association (NSW)

The Australian Competition and Consumer Commission ("the Commission") has considered an application for authorisation lodged by the Australian Hotels Association (NSW) (A90837) on behalf of its members in relation to:

- Collective bargaining on behalf of members hotels in NSW with Tab Limited and Sky Channel Pty Limited in relation to the provision of totalisator (wagering) (PubTAB) and racing broadcast services; and
- Boycott activity in the form of a collective decision to withdraw services from Tab Limited and Sky Channel Pty Limited should negotiations breakdown and not recommence within seven days.

The Commission has issued a Draft Determination proposing to deny authorisation for the above arrangements. A copy of the Commission's Draft Determination is enclosed for your information.

In accordance with section 90A of the *Trade Practices Act 1974*, you may notify the Commission in writing by close of business on **9 April 2003** if you wish the Commission to hold a pre-determination conference in relation to the draft determination.

A pre-determination conference provides the opportunity for interested parties, particularly in the event they are dissatisfied with the Commission's draft determination, to make an oral submission in response to the Commission's draft determination. In the event of such a conference taking place it would be held as soon as possible, but in any event, no later than **9 May 2003**.



If you require further information please contact Scott Gregson on 02 6243 1057 or Amanda Dadd on 02 6243 1391.

A copy of this letter will be placed on the Public Register kept by the Commission.

Yours sincerely

Tim Grimwade
General Manager
Adjudication Branch

Ms Helen Williams
Secretary
Department of Communications, Information
Technology and the Arts
GPO Box 2154
CANBERRA ACT 2601

Mr Merv Hill
Chief Executive
New South Wales Thoroughbred Racing Board
PO Box 528
KENSINGTON NSW 1465

Mr Neil Edwards
Secretary
Department of Tourism, Sport and the Commonwealth
Games (Victoria)
GPO Box 2392V
MELBOURNE VIC 3001

Mr Steve Rosier
Chief Executive Officer
Greyhound Racing Authority of New South Wales
PO Box 138
LIDCOMBE NSW 2141

Mr Mark Fitzgibbon
Chief Executive Officer
Registered Clubs Association of New South Wales
499 Kent Street
SYDNEY NSW 2000

Mr Bradley Woods
Executive Director
Australian Hotels Association (Western Australian
Branch)
PO Box 660
WEST PERTH WA 6872

Mr David Williams
Chief Executive Officer
The Leagues' Club Association of NSW Ltd
165 Phillip Street
SYDNEY NSW 2000

Mr Bob Mason
Executive Director, Racing Directorate
Department of Tourism, Racing and Fair Trading
(Queensland)
GPO Box 1141
BRISBANE QLD 4001

Mr Wes Battams
Executive Director
Office for Recreation, Sport and Racing (South
Australia)
PO Box 219
BROOKLYN PARK SA 5032

Mr Richard Turnley
President
Thoroughbred Breeders New South Wales
PO Box 198
RANDWICK NSW 2031

Mr Ken Brown
Director General
Department of Gaming and Racing (New South
Wales)
GPO Box 7060
SYDNEY NSW 2001

Mr Michael Gray
Partner
Freehills
MLC Centre
Martin Place
SYDNEY NSW 2000

Mr Allan Laird
Secretary
Tab Agents' Association of NSW
18-19/103 Majors Bay Road
CONCORD NSW 2137

Mr Anthony Mullins
Chief Executive Officer
Harness Racing New South Wales
PO Box 358
BANKSTOWN NSW 1885