



Australian Competition & Consumer Commission

PO Box 1199
Dickson ACT 2602
470 Northbourne Ave
Dickson ACT 2602
Australia

Ref: C2003/938
Contact Officer: Tania Mayrhofer
Contact Phone: 02 6243 1070

Ph (02) 6243 1111
Fax (02) 6243 1199

10 October 2003

Ms Jodie Sangster
Manager – Legal and Regulatory Affairs
Australian Direct Marketing Association
Suite 1, Level 5
100 William Street
EAST SYDNEY NSW 2011

Dear Ms Sangster

**Australian Direct Marketing Association Limited Application for Revocation and
Substitution of Authorisation A40077**

I refer to ADMA's application for revocation and substitution of authorisation A40077 and ADMA's request in an email dated 8 October 2003 for the Commission to suspend its consideration of the application as late as February 2004.

In view of the issues put by you to us justifying the request, in particular that ADMA would like to address some of the issues raised by responding parties during the Code authorisation process and time to implement changes reflected in the revised Model Code of Practice for Direct Marketing, we consider it appropriate to defer further consideration of ADMA's application in the expectation amendments will be made to the application shortly. Having said this, I do not believe that such a delay as lengthy as you propose is appropriate in view of what ADMA is planning to do. Accordingly, I request that ADMA submit a revised Code to the Commission before the end of December 2003 so that the Commission can recommence its consultation and assessment of the application.

ADMA was granted interim authorisation on 13 August 2003 for its present Code on the basis that the Commission could immediately reconsider the Code on its merits. It is not appropriate, in my view, to have an extended delay beyond what is necessary before a merits review can occur. Consequently, if the Commission has not received a revised Code by the end of December 2003, the Commission may review the appropriateness of the continuation of the interim authorisation.

Please note that the Commission will be required to consult interested parties on the revised Code.



I look forward to receiving the revised Code later this year. If you have any questions please contact Tania Mayrhofer on (02) 6243 1070.

Yours sincerely

A handwritten signature in black ink, appearing to be 'T. Grimwade', written in a cursive style.

Tim Grimwade
General Manager
Adjudication Branch