



Australian Competition & Consumer Commission

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Our Ref: C2003/1164
Contact Officer: Stefanie Janiec
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BY POST AND FACSIMILE

28 October 2003

Ms Jacinta Bayard
Legal Counsel
Tab Limited
GPO Box 4168
Sydney NSW 2001

Dear Ms Bayard

Authorisation A90885 lodged by Tab Agents' Association of NSW

We refer to our letter dated 22 September 2003, your letter of 16 October 2003 and telephone discussions with Stephanie Chenoweth of last week. As you are aware, we have received an application for authorisation from the Tab Agents' Association of NSW ("the Association") to allow it to collectively negotiate on behalf of its members, the terms and conditions of the provisions of services by members to Tab Limited.

The Association is also seeking authorisation to allow it to participate in the process for resolving disputes under the Dispute Resolution Agreement between Tab Limited and more than one agent.

In our letter dated 22 September 2003 we provided you with a copy of the Association's application and supporting submission and invited you to make submissions on the proposed authorisation.

We note that in your letter dated 16 October 2003 you refer to the above letter as containing a "complaint against Tab Limited". We should point out that our letter dated 22 September 2003 does not contain a complaint against Tab Limited. Rather the letter purported to invite Tab Limited, as an interested party in the authorisation lodged by the Association, to make a written submission to the Commission regarding the likely public benefits and effects on competition of the arrangements for which authorisation is sought by the Association.

In your letter you requested an extension until 24 November 2003 in which to respond to our invitation for submissions. Whilst the Commission wishes to expedite consideration of this



notification, it recognises the importance of giving interested parties an opportunity to respond within a reasonable time frame. Accordingly, we look forward to receiving your response by **Friday 14 November 2003**.

You may request that information you provide to the Commission be treated as confidential and not placed on the public register. The Commission may take into account information for which it grants confidentiality, even if that information is not publicly available. Guidelines for seeking confidentiality are attached for your information.

A copy of this letter will be placed on the Commission's public register.

If you have any further questions in relation to this notification please contact me on 02 6243 1226 or Stefanie Janiec on 02 6243 1279.

Yours sincerely

Handwritten signature of Tim Grimwade, consisting of a stylized 'T' and 'G' followed by a cursive flourish.

Tim Grimwade
General Manager
Adjudication