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Ms Stefanie Lovett
Australian Competition and Consumer Commission

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Please see attached.

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Dear Mr Grimwade

TAB Agents' Association of New South Wales Authorisation Application (A90885)

We refer to Ms Stefanie Lovett's telephone conversation with Rodney Spitzer on 14 April 2004.

As the Commission is aware, the TAB Agents' Association of NSW ("**Association**") seeks authorisation to collectively negotiate on behalf of its members with TAB Limited or any successor entity which holds the licence to conduct off-course totalizator, and to participate in the resolution of disputes between more than one agent and TAB Limited or any successor entity which holds the licence to conduct off-course totalizator. The Commission acknowledges the Association's application in this regard in paragraphs 2.7, 2.8 and 2.9 of the Commission's Draft Determination.

As discussed with Ms Lovett, we are writing to seek confirmation from the Commission that any authorisation granted by the Commission, if granted, will specifically make clear that the conduct authorised relates to both collective negotiations and dispute resolution with TAB Limited, and any successor entity which holds the licence to conduct off-course totalizator. In this regard, the Association requests that any final determination issued by the Commission contain an amended executive summary and paragraph 14.3 (to that currently contained in the Draft Determination) to maintain consistent language with the Association's application as set out in paragraph 2.7 of the Commission's Draft Determination so that any collective negotiations with a successor entity of TAB Limited are included within the authorisation.

Please do not hesitate to contact us if you require any further information.

Yours sincerely



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