

C & M HIDVEGI

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Authorisation No. A90927

22 March 2005

The General Manager
Adjudication Branch
Australian Competition and Consumer Commission
PO Box 1199
DICKSON ACT 2602

Dear Sir,

Please accept my submission in response to the "Draft Determination" issued by the ACCC on 9 February 2005 and NFML response dated 18th March 2005, in relation to the authorisation of the Milk Vendors' Association (SA) Inc for the collective bargaining arrangements in respect of current distribution contracts.

I reiterate all points made by the Milk Vendors Association and my initial submission dated 20 September 2004. All points previously stated to be counted relevant and included in consideration for the pre-determination conference.

In addition I wish to state:

Under section 52A of the TPA I wish to note in relation to "the relevant strengths of the bargaining position of the parties" and to bring in the Constitutional clause of **On Just Terms**.

- Draft Determination 8.83 to 8.86 with reference to 8.14 to 8.19 imbalances in bargaining power.

I believe The Hilmer report - identified the abuse of power of big corporations with NCP and vendors as a victim.

Bargaining power is **weighted** towards the processor.

Thanking you

Marilyn Hidvegi *for*
C & M HIDVEGI