



**Australian  
Competition &  
Consumer  
Commission**

GPO Box 520J  
Melbourne VIC 3001

Level 35 The Tower  
360 Elizabeth Street  
Melbourne VIC 3000

ph (03) 9290 1800  
fax (03) 9663 3699

[www.accc.gov.au](http://www.accc.gov.au)

Our Ref: C2005/405  
Contact Officer: Michael Green  
Contact Phone: 03 9290 1960

29 June 2005

Mr Michael Whillas  
South Australian Oyster Growers Association Inc.  
C/- DMAW Lawyers  
Level 3, 80 King William Street  
Adelaide SA 5000

Dear Mr Whillas

**Re: South Australian Oyster Growers Association Inc. applications for authorisation  
A60024 and A60025 – draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the applications lodged by the South Australian Oyster Growers Association (SAOGA) on 25 February 2005 and 11 March 2005 respectively and amended on 5 April 2005.

A copy of the ACCC's draft determination is attached. The ACCC proposes to grant conditional authorisation to applications A60024 and A60025 for five years, for the reasons set out in its draft determination.

**Next steps**

Once the ACCC issues a draft determination, the Applicants or any interested party who may be dissatisfied with the ACCC's draft determination may request that the ACCC convene a 'pre-decision conference'. A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Under the *Trade Practices Act 1974* (the TPA), the ACCC must set a date within 14 days of which any pre-decision conference must be requested. Accordingly, if you wish the ACCC to hold a pre-decision conference in relation to the draft determination issued in respect of applications A90967 and A90968, you must notify the ACCC in writing by **cob Wednesday 13 July 2005**. Conferences are conducted informally, without the participation of legal or other professional advisers.



Alternatively, you are also invited to make a written submission in response to the ACCC's draft determination. Written submissions should be lodged by **cob Friday 15 June 2005** at the following address:

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


Submissions can also be lodged by e-mail to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) or by facsimile on 02 6243 1211.

Any submission you make will be placed on the ACCC's Public Register. You may request that information you provide in a submission to the ACCC be treated as confidential and not placed on the Public Register. Information excluded from the Public Register for reasons of confidentiality will still be considered by the ACCC when reaching its decision. Guidelines for seeking confidentiality are attached for your information.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-determination conference be called, and will then release a final determination in relation to these applications.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Michael Green on 03 9290 1960.

Yours sincerely



Gavin Jones  
Director  
Adjudication Branch