



Australian
Competition &
Consumer
Commission

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Our Ref: C2005/1615
Contact Officer: Jason Byrne
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26 October 2005

[address]

Dear

**Federation of Australian Wool Organisations applications
for authorisation A90984 ;A90985 - request for interim authorisation**

The Australian Competition and Consumer Commission (the ACCC) has decided to grant interim authorisation in respect of the above-mentioned applications lodged on 20 September 2005, by the Federation of Australian Wool Organisations (FAWO), on condition that the Applicants refrain from collecting the proposed levy at this stage.

The ACCC expects to be in a position to reconsider the matter with further information prior to the end of the year, to accommodate the Applicant's proposal to commence collection of the levy in January 2006.

The Applicants are seeking authorisation to:

- make and give effect to an Implementation Deed between the applicants and any selling agent who accedes to the deed, which will establish arrangements for the imposition of a levy of A\$1.50 on all wool sold at auction or by private treaty, for the purposes of raising funds for a test marketing campaign for the promotion of the wool industry; and
- to give effect to a provision allowing the applicants to refuse to supply goods or services to persons who have not agreed to pay the proposed levy.

Summary of ACCC considerations

Interim authorisation protects the arrangements for which authorisation is sought from legal action under the relevant provisions of the *Trade Practices Act 1974* while the ACCC considers and evaluates the merits of the application.



In assessing the request for interim authorisation the ACCC considered that the applicants had demonstrated the importance of beginning the preparatory process for the collection of the proposed levy, so as to meet the proposed timeframe for the arrangements.

The ACCC noted the Applicant's proposal to commence collecting the levy in January 2006 and to refrain from releasing funds collected under the proposed arrangements until the ACCC releases its final determination in this matter.

Please be advised that the ACCC's decision in relation to interim authorisation should not be taken to be indicative of whether or not final authorisation will be granted by the ACCC.

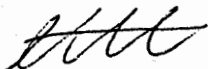
Next steps

For your information, the next step in the process is for the ACCC to release a draft determination which will take into account any submissions received from the Applicants and interested parties, and will indicate the ACCC's preliminary views on the merits of the application.

The ACCC will provide both the Applicants and interested parties with the opportunity to provide further submission on the draft determination before the ACCC issues its final decision.

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 Jason Byrne on (02) 6243 1279.

Yours sincerely



Scott Gregson
General Manager
Adjudication Branch

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