

Freehills

8 December 2005

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Scott Gregson
General Manager, Adjudication Branch
Australian Competition and Consumer Commission
PO Box 1199
Dickson ACT 2602

By email

Dear Scott

Consultation in respect of the Commission's draft determination

Thank you for the opportunity to comment upon the Commission's draft determination in relation to applications for authorisation lodged by the Tasmanian Forest Contractors Association.

1 Our comments on the draft determination

Gunns believes the Commission has conducted a comprehensive analysis of relevant parts of the Tasmanian forest industry and appreciates the timely efforts of Commissioners and staff in meeting with stakeholders in Tasmania and publishing the draft determination. Most importantly, Gunns believes the Commission has made the correct decision to date, having regard to the particular circumstances of the Tasmanian industry and the statutory test for authorisation.

Gunns stands by its previous submissions, which have provided industry background and views on the likely effects of the collective conduct sought by the TFCA.

Gunns would be pleased to respond to any additional questions, or provide any additional information the Commission may require.

2 Attendance at the pre-determination conference

Representatives of Gunns will be pleased to attend the proposed pre-determination conference to be held in Hobart on 19 December 2005. Gunns has a direct interest in the matter as one of the wood companies named in the TFCA authorisation applications.

The likely attendees for Gunns will be:

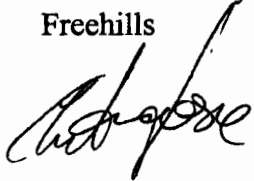
- (a) Bryan Hayes, Manager, North West and South East, as principal spokesperson for Gunns on these issues;

- (b) Ian Blandon, Manager – Plantation Division, as spokesperson for Gunns in relation to silvicultural issues; and
- (c) Peter McDonald, Senior Associate, Freehills, as legal advisor for Gunns.

3 Additional written submissions from interested parties

Should the Commission receive written submissions from interested parties relating to the draft determination prior to the pre-determination conference, we would greatly appreciate if these could be provided to us as soon as possible to assist our preparations.

Yours faithfully
Freehills



Chris Jose
Partner



Peter McDonald
Senior Associate