



**Australian
Competition &
Consumer
Commission**

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Contact Officer: Lauren Roy
Contact Number: (02) 6243 4940

8 October 2008

Dear Sir or Madam

Collective bargaining notifications lodged by BFC Stores Pty Ltd on behalf of its BFC owned stores and its prospective franchisee owned stores – interested party consultation

I refer to the above collective bargaining notifications lodged with the Australian Competition & Consumer Commission (ACCC) by BFC Stores Pty Ltd (BFC) on 7 October 2008. BFC proposes to negotiate, on behalf of its BFC owned stores and its prospective franchisee owned stores, with 48 targets in relation to the price at which the stores can purchase products for on-supply to Australian consumers.

The ACCC invites you to comment on the notification. Please find **attached** a summary of the collective bargaining notification process. Other documents concerning the notification will be made available on the public registers section of the ACCC's website: <http://www.accc.gov.au>.

Collective bargaining notification process

Once a notification has been validly lodged with the ACCC, immunity from legal action in respect of the notified conduct commences 28 days after the notification was lodged, unless the ACCC issues a draft objection notice proposing to prevent the immunity coming into effect.

The ACCC may at any time remove the protection provided by a collective bargaining notification where it is satisfied that the likely benefit to the public from the proposed conduct will not outweigh the likely detriment to the public from the proposed conduct.

Request for submissions

The ACCC invites you to make a submission on the likely benefits and effect on competition, or any other public detriment, from the proposed collective arrangements. In making your submission, you may wish to consider the types of benefits and detriments set out in the notification.

Legal immunity conferred by the notification will commence on Tuesday, 4 November 2008.

If you intend to lodge a submission in relation to the collective bargaining notification, please do so by **cob Wednesday, 15 October 2008**.

Please address any submissions to:

The General Manager
Adjudication Branch
Australian Competition & Consumer Commission
GPO Box 3131
Canberra ACT 2601

Submissions can also be lodged by email to: adjudication@acc.gov.au or faxed to: (02) 6243 1211.

Alternatively, if you would like to provide comments orally, please contact Lauren Roy on (02) 6243 4940 to arrange a suitable time.

Submissions, including a record of oral comments, will be placed on the ACCC's public register, subject to any request for exclusion. The guidelines for excluding information from the ACCC's public register are **attached**.

Timetable

The ACCC will progress its assessment of the notification in a timely manner. An indicative timetable is set out below for your information.

7 October 2008	Lodgement of notification
8 October 2008	Public consultation process begins
15 October 2008	Closing date for submissions on the notification
22 October 2008	Notifying party responds to issues raised in the public consultation process
4 November 2008	Absent ACCC objection, protection afforded by the collective bargaining notification comes into effect.

In making a submission, or if you wish to be kept informed as this matter progresses, please provide a preferred contact email address for future correspondence.

You may forward this letter to any other party who may wish to make a submission to the ACCC regarding the notification.

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 Lauren Roy on (02) 6243 4940.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Richard Chadwick', is written over a light grey rectangular background. The signature is stylized with a large loop and a long horizontal stroke extending to the right.

Dr Richard Chadwick
General Manager
Adjudication Branch