



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2007/2110
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5 March 2008

Mr Michael Gray
Partner
Freehills
MLC Centre
19 Martin Place
Sydney NSW 2001

CC Jacqueline Cachia
Solicitor

Dear Mr Gray

**Tabcorp Manager Pty Ltd Applications for authorisation A91065, A91066 & A91067
- final determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a determination in respect of the applications for authorisation lodged by Tabcorp Manager Pty Ltd (Tabcorp) on 6 November 2008.

A copy of the ACCC's determination is attached, including a summary of its reasons. For the reasons set out in its determination, the ACCC has decided to grant authorisation for the parties to make and give effect to clauses 2.1, 5.1, 5.6 and 8 of an agreement entered into between Tabcorp and TOTE Tasmania Pty Ltd (TOTE Tasmania) governing TOTE Tasmania's participation in the SuperTAB pool. Authorisation is granted until 14 August 2012. The ACCC's assessment is set out in Chapter 6 of its determination.

Application for review

Pursuant to section 101 of the *Trade Practices Act 1974*, a person dissatisfied with this determination may apply to the Australian Competition Tribunal for its review. An application for review must be made within 21 days of the date of this determination; that is, on or before 26 March 2008. If no application to review is lodged by this date, the ACCC's determination will come into force on 27 March 2008.

An application for review of the ACCC's determination should be lodged directly with the Australian Competition Tribunal. The Australian Competition Tribunal is a separate body from the ACCC and is located within the Federal Court of Australia.

For further information about the process involved in reviewing decisions in the Australian Competition Tribunal please refer to the tribunal's website located at <http://www.competitiontribunal.gov.au/>.

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 Monica Bourke on (02) 6243 1351.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D Hatfield', written in a cursive style.

David Hatfield
Acting General Manager
Adjudication Branch