



**Australian
Competition &
Consumer
Commission**

GPO Box 3131
Canberra ACT 2601

23 Marcus Clarke Street
Canberra ACT 2601

tel: (02) 6243 1111
fax: (02) 6243 1199

www.accc.gov.au

Contact Officer: Erin Donohue
Contact Phone: (02) 6243 1291

10 September 2009

[Address]

Dear [Salutation]

**Softwood Tasmania Joint Venture applications for authorisation A91185 and A91186 –
Draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination proposing to grant authorisation in respect of further applications for authorisation from Forestry Tasmania, Tasmanian Softwood Fund Pty Ltd and Southern Hemisphere Softwood Strategies (Softwood Tasmania Joint Venture).

The applications are to take account of amendments introduced by the *Trade Practices Amendment (Cartel Conduct and Other Measures) Act 2009* which commenced on 24 July 2009. The conduct for which authorisation is being sought under applications A91185 and A91186 is the same conduct that the ACCC authorised on 29 July 2009 (authorisation applications A91120 - A91122).

A copy of applications for authorisation A91185 and A91186 and the draft determination in respect of these applications are attached.

Next Steps

Once the ACCC issues a draft determination, the Applicants or any interested party 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. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination, you must notify the ACCC in writing by **24 September 2009**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **24 September 2009**.

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

Submissions will be placed on the ACCC's public register subject to any request for exclusion.

Timetable

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

27 August 2009	Lodgement of applications A91185 & A91186 and supporting submission.
10 September 2009	Draft determination issued in respect of applications A91185 & A91186.
September 2009	Public consultation on draft determination including any conference if called.
September/October 2009	Final determination.

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 Erin Donohue on (02) 6243 1291.

Yours sincerely



David Hatfield
Acting General Manager
Adjudication Branch