



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: C2008/2060  
Contact Officer: Lauren Roy  
Contact Phone: (02) 6243 4940

19 March 2009

[Address]

Dear [name]

**Queensland Newsagents Federation application for authorisation A91117  
- draft determination and interim authorisation**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by the Queensland Newsagents Federation (QNF) on 22 December 2008. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

The QNF is seeking authorisation on behalf of itself, the Newsagents Association of NSW and the ACT and the Victorian Association for Newsagents to engage in collective negotiations, on behalf of newsagent members, with certain major publishers and distributors of newspapers and magazines.

The QNF is also seeking authorisation to negotiate on behalf of newsagents or groups of newsagents who are not members of the Associations but who ask to participate in the collective negotiations.

A copy of the ACCC's draft determination is attached. For the reasons set out in its draft determination, the ACCC proposes to grant authorisation to the arrangements for five years. The ACCC's assessment is set out in Chapter 5.

**Interim authorisation**

The Australian Competition and Consumer Commission (the ACCC) has decided to grant interim authorisation in respect of the application for authorisation.

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.

The ACCC may review its decision on interim authorisation at any time. 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**

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 **3 April 2009**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **3 April 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 these applications.

Submissions will be placed on the ACCC's public register subject to any request for exclusion (guidelines are attached).

### **Timetable**

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

22 December 2008	Application for authorisation lodged with the ACCC.
23 January 2009	Closing date for submissions from interested parties in relation to the request for interim authorisation.
23 January 2009	Closing date for submissions from interested parties in relation to the substantive application for authorisation.
20 February 2009	Submission received from the QNF in response to interested party submissions.
18 March 2009	Interim authorisation granted.
18 March 2009	Draft determination issued.
March/April 2009	Public consultation on draft determination including any conference if called.
April/May 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 Lauren Roy on (02) 6243 4940.

Yours sincerely

A handwritten signature in cursive script that reads "DChanning". The signature is written in black ink and is positioned above the printed name.

Darrell Channing  
Director  
Adjudication Branch