



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2009/707
Contact Officer: Tess Macrae
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15 July 2009

Dear

**Tabcorp Manager Pty Ltd Applications for authorisation A91127 to A91132
- draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the applications for authorisation lodged by Tabcorp Manager Pty Ltd (Tabcorp) on 30 March 2009. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

Tabcorp is seeking authorisation for agreements entered into by it with ACTTAB Ltd (ACTTAB) and Racing and Wagering Western Australia (RWWA) relating to the participation of ACTTAB and RWWA in the SuperTAB Pool operated by Tabcorp.

Draft determination

A copy of the ACCC's draft determination is attached, including a summary of its reasons. For the reasons set out in its draft determination, the ACCC proposes to grant authorisation until 14 August 2012. The ACCC's assessment is set out in Chapter 4 on pages 19 to 30.

Next steps

Once the ACCC issues a draft determination, Tabcorp 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 **31 July 2009**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **7 August 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.

Timetable

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

30 March 2009	Lodgement of applications and supporting submission.
3 April 2009	Public consultation process begins.
29 April 2009	ACCC decision regarding interim authorisation.
15 July 2009	Draft determination.
July/August 2009	Public consultation on draft determination including any conference if called.
August/September 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 Tess Macrae on (03) 9290 1835.

Yours sincerely

Sue Philp
Director
Adjudication Branch

INTERESTED PARTY LIST

ACT Gambling and Racing Commission

Australian Associated Press Racing

Australian Bookmakers' Association/ NSW Bookmakers' Cooperative Ltd

Australian Harness Racing Council

Australian Internet Bookmakers' Association

Australian Punters Association

Australian Racing Board

Betfair Australia Pty Ltd

Canberra Racing

Centrebet Racing Pty Ltd

Clubs Victoria

Department of Racing, Gaming and Liquor (WA)

Gaming and Wagering Commission of Western Australia

Gilbert and Tobin

Greyhounds Australasia

Harness Racing Victoria

IASBet

International All Sports Limited

Minter Ellison

Office of Gaming and Racing Victoria

Office of Liquor Gaming and Racing (QLD)

Office of Liquor, Gaming and Racing (NSW)

Office of the Liquor and Gambling Commissioner (SA)

Perth Racing

Queensland Bookmakers' Association

Queensland Racing Limited

Racing and Wagering Western Australia

Racing Information Services Australia

Racing NSW

Racing Services Tasmania -
Department of Infrastructure, Energy & Resources

Racing Victoria Ltd

Racing, Gaming and Licensing -
Department of Justice (NT)

South Australian Bookmakers' League Inc.

Sportingbet Australia Pty Ltd

Sports Acumen Pty Ltd

Sportsbet Pty Ltd

Tasmanian Bookmakers' Association

Tasmanian Gaming Commission

Tasmanian Thoroughbred Racing Council

Tatts Group Limited

The Hon Wilson Tuckey MP

Thoroughbred Breeders Association Victoria Inc

Thoroughbred Racing SA

Turf Accountant Australia

UNiTAB

Victorian Bookmakers' Association

Victorian Commission for Gambling Regulation

WA Bookmakers' Association (Inc)