



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2009/1330
Contact Officer: Tess Macrae
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5 August 2009

Dear

Collective Bargaining Notifications CB00073 to CB00080 lodged by the Australian Independent Record Labels Association (AIR) – Assessment

I refer to the above collective bargaining notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 9 July 2009.

Under the notifications, AIR proposes to collectively bargain, on behalf of its participating members, with Telstra, Optus, BigPond, Austar, Foxtel, MTV Networks, XYZ Networks and Fuel TV in relation to the licensing of its members' audio and visual rights in respect of public performance and transmission of music videos.

You may recall that the ACCC sought interested party comment on the notifications.

On the information available, the ACCC does not object to the notifications. A copy of a document setting out the ACCC's assessment of the notifications is attached.

Protection afforded by notifications CB00073 to CB00080 commenced on 23 July 2009 and will cease three years from the date of lodgement (9 July 2012).

As with any notification, the ACCC may review the notifications at a later stage should concerns arise.

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

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| Interested Parties |
| Austar United Communications Limited |
| BigPond Music (Telstra Corporation Limited) |
| Foxtel Management Pty Limited |
| Fuel TV (Premier Media Group Pty Limited) |
| MTV Networks Australia Pty Limited |
| Optus Vision Pty Limited |
| Telstra Multimedia Pty Limited |
| XYZnetworks Pty Limited |