



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2009/780
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5 August 2009

Anthony Matis
Chief Executive Officer
Australian Newsagents' Federation
Level 3, 33-35 Atchison Street
St Leonards NSW 2065

By email: anthonym@anf.net.au

Dear Mr Matis

**Australian Newsagents' Federation Ltd - application for authorisation A91174
- 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 Australian Newsagents' Federation Ltd (ANF) on 28 July 2009.

Draft determination

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.

Interim authorisation

At the time of lodging the application for authorisation, the ANF requested interim authorisation of the arrangements. The ACCC has decided to grant interim 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. Interim authorisation remains in place until the date the ACCC's final determination comes into effect or until the ACCC decides to revoke interim authorisation.

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 **20 August 2009**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **20 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 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 updated indicative timetable is set out below for your information.

28 July 2009	Lodgement of application and supporting submission.
5 August 2009	ACCC decision regarding interim authorisation.
5 August 2009	Draft determination.
August 2009	Public consultation on draft determination including any conference if called.
August 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 Clare McGinness on (02) 6243 1049.

Yours sincerely



Dr Richard Chadwick
General Manager
Adjudication Branch