



**Australian
Competition &
Consumer
Commission**

Our Ref: C2009/1687-03
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10 March 2010

Kate Haddock
Partner
Banki Haddock Fiora
Level 10, 179 Elizabeth Street
SYDNEY NSW 2000

Dear Ms Haddock

Application for revocation and substitution lodged by the Australasian Performing Right Association Ltd – request for material to be excluded from the public register

I refer to APRA's submission lodged with the Australian Competition and Consumer Commission (the ACCC) on 1 March 2010.

I have considered APRA's request that parts of its submission and the entirety of an accompanying annexure of correspondence be excluded from the ACCC's public register.

As you are aware, the ACCC is generally required under section 89 of the *Trade Practices Act 1974* (the Act) to place documents provided to it in relation to an application for authorisation on the ACCC's public register. The Act provides that a person submitting a document in relation to an authorisation application may request that the document or parts thereof be excluded from the public register by reason of the nature of certain information contained in the document.

As a person authorised to make a decision for and on behalf of the ACCC in relation to such a request, I advise that the entire annexure will not be placed on the public register and that a redacted version only of the submission will appear on the register. The accompanying material not subject to an exclusion claim, being copies of APRA's Request for Licence-Back and Consent to sub-license forms and the extract from APRA's constitution, and this letter will also be placed on the public register.

Should you have any queries in relation to this matter, please do not hesitate to contact John Rouw on 03 9290 1402.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R Chadwick', with a long horizontal flourish extending to the right.

Dr Richard Chadwick
General Manager
Adjudication Branch