



**Australian
Competition &
Consumer
Commission**

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Our Ref: 41798
Contact Officer: Tess Macrae
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13 May 2010

Mr Simon Uthmeyer
Partner
DLA Phillips Fox
PO Box 4301
Melbourne VIC 3001

By email: simon.uthmeyer@dlaphillipsfox.com

Dear Mr Uthmeyer

**Collective Bargaining Notification CB00143 lodged by Hertz Australia Pty Limited –
Draft Objection Notice**

I refer to the above collective bargaining notification lodged with the Australian Competition and Consumer Commission (the ACCC) by Hertz Australia Pty Limited on 3 May 2010.

The ACCC has considered the notification and has decided to prepare a Draft Objection Notice, in accordance with section 93A of the *Trade Practices Act 1974* (the Act). The reasons for the ACCC's decision are provided in the Draft Objection Notice attached. The Draft Objection Notice will also be available from the ACCC's website www.accc.gov.au/CollectiveBargainingRegister.

The effect of the ACCC's decision is that the notification will not come into force unless the ACCC later decides not to issue a Final Objection Notice.

In circumstances where the ACCC prepares a Draft Objection Notice, section 93A(2) of the Act provides that the ACCC must, by written notice (a conference notice), invite the notifying party, and each other interested party, to request that a conference be held to discuss the Draft Objection Notice. This letter serves as the conference notice in respect of the Draft Objection Notice.

Accordingly, if you wish the ACCC to hold a pre-decision conference in relation to the draft notice, you must notify the ACCC in writing by **cob Friday 28 May 2010**. Please note that the Act does not allow the ACCC to extend this deadline.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **cob Friday 28 May 2010** at the following address:

The General Manager
Adjudication Branch
Australian Competition and Consumer Commission
PO Box 3131
CANBERRA ACT 2601

Submissions can also be lodged by email to adjudication@acc.gov.au or by facsimile on (02) 6243 1211.

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

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, in deciding whether or not to issue a Final Objection Notice in relation to the notification.

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



Dr Richard Chadwick
General Manager
Adjudication Branch