



**Australian
Competition &
Consumer
Commission**

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Our Ref: TRACKIT 43974
Your Ref: 81381246
Contact Officer: Susan Hogan
Contact Phone: 02 6243 1045

8 November 2010

Mr Michael Grey
Partner
Freehills
GPO Box 4227
SYDNEY NSW 2000

Dear Mr Grey

Notifications submitted by Tabcorp Manager Pty Ltd, TAB Limited and Luxbet Pty Ltd - request for material to be excluded from the public register

I refer to the notifications lodged by Tabcorp Manager Pty Ltd, TAB Limited and Luxbet Pty Ltd (collectively the Tabcorp Group) with the Australian Competition and Consumer Commission (ACCC) on 4 November 2010.

I have considered your request that the Tabcorp Group's confidential version of its submission in support of the notifications be excluded from the ACCC's public register.

As you are aware, the ACCC is generally required under section 95 of the *Trade Practices Act 1974* (the Act) to place documents provided to it in relation to a notification on the ACCC's public register. The Act provides that a person submitting a document in relation to a notification 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 documents.

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 Tabcorp Group's confidential version of its submission will not be placed on the public register. I note that you also provided a public version of

the Tabcorp Group's submission. This version will be placed on the public register in the form it was provided to the ACCC.

I note that the Tabcorp Group contends that the confidential version of its submission is provided to the ACCC on the basis that it will not be released or used for any other processes or purposes without the specific written approval of the Tabcorp Group. With respect to the confidential submission which the Tabcorp Group seeks to have excluded from the public register, the ACCC will not disclose this information to any third parties, other than the ACCC's legal and economic advisors, without first obtaining your written consent or unless compelled to do so by law.

This letter has been placed on the ACCC's public register.

Should you have any queries in relation to this matter, please do not hesitate to contact Susan Hogan on 02 6243 1045.

Yours sincerely



Dr Richard Chadwick
General Manager
Adjudication Branch