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24 November 2010

Richard Chadwick  
General Manager  
Adjudication Branch  
Australian Competition & Consumer Commission  
GPO Box 3131  
CANBERRA ACT 2601

Dear Dr Chadwick

**Australian Hotels Association Divisions Application for Revocation of Authorisation A90987 and Substitution of new Authorisation A91257 – Interested Party Consultation**

Tabcorp and Sky Channel are 'interested parties' in the above application as they are potential targets of conduct for which the AHA Divisions are seeking authorisation. Tabcorp does not believe that it has received a letter from the ACCC notifying it of the application by the AHA Divisions. Having become aware of the application, and assuming that the ACCC is interested in Tabcorp's position, Tabcorp makes the following comments in respect of the application.

Tabcorp does not intend to make any submissions in relation to the application by the various AHA Divisions. In taking this position, Tabcorp should not be taken to have agreed with any of the statements made on behalf of the AHA Divisions.

Tabcorp would, however, object to any application by the AHA Divisions to have collective boycott activities authorised by the ACCC. Collective boycotts are not permitted under existing authorisation A90987.

Tabcorp accepts that the application materials make generalisations in respect of a wide variety of service providers. Tabcorp does not, however, consider that its contracts are offered on a 'take it or leave it' basis irrespective of whether or not collective bargaining has been authorised. Tabcorp understands that pubs and clubs are important participants in the supply of Tabcorp's wagering services. Tabcorp does take into account, and will continue to take into account, the position of individual pubs and clubs as well as the AHA and other peak bodies in developing contracts.

If you require any additional information please contact me.

Yours sincerely



**JO MADSEN**  
General Counsel – Wagering and Media



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