



**Australian
Competition &
Consumer
Commission**

Our Ref: C2009/1687-03
Contact Officer: John Rouw
Contact Phone: 03 9290 1402

GPO Box 3131
Canberra ACT 2601

23 Marcus Clarke Street
Canberra ACT 2601

tel: (02) 6243 1111
fax: (02) 6243 1199

www.accc.gov.au

22 December 2009

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 16 December 2009.

I have considered APRA's request that parts of APRA's submission and accompanying Annexures 2, 3 and 4 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 relevant parts of the submission and Annexures 2, 3 and 4 will not be placed on the public register.

A redacted copy of APRA's submission and the accompanying material not subject to an exclusion claim, Annexure 1, will 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

Dr Richard Chadwick
General Manager
Adjudication Branch