



**Australian
Competition &
Consumer
Commission**

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Our Ref: TRACKIT 44973
Contact Officer: Susan Philp
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12 May 2011

[Address]

Dear [Salutation]

**Western Australian Broiler Growers Association
Application for authorisation A91262
-draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by the Western Australian Broiler Growers Association (WABGA) on 8 February 2011.

The WABGA is seeking authorisation on behalf of its current and future members for its member growers to engage in collective bargaining with the chicken meat processors to whom they supply growing services.

Draft determination

A copy of the ACCC's draft determination is attached, including a summary of its reasons. For the reasons set out in its draft determination, the ACCC proposes to grant authorisation to the proposed collective bargaining arrangements for five years. The ACCC's assessment is set out in chapter four of the draft determination.

Next steps

Once the ACCC issues a draft determination, the Applicants or any interested party may request that the ACCC convene a 'pre-decision conference'. A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination, you must notify the ACCC in writing by **27 May 2011**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **31 May 2011**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications.

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

Timetable

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

8 February 2011	Lodgement of application and supporting submission.
9 February 2011	Public consultation process begins.
23 February 2011	ACCC decision regarding interim authorisation.
11 May 2011	Draft determination.
May/June 2011	Public consultation on draft determination including any conference if called.
June 2011	Final determination.

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 the writer on 02 6243 1347.

Yours sincerely

Susan Philp
Director
Adjudication Branch

A91262 – Western Australian Broiler Growers Association

List of interested parties

- Bartter Enterprises
- Inghams Enterprises
- Finesse Poultry
- Western Australian Chicken Meat Council
- Australian Chicken Meat Federation Incorporated
- Australian Chicken Growers' Council
- The Department of Treasury and Finance, Western Australia
- Department of Agriculture and Food, Western Australia