



PIER CONSULTING

REGULATORY STRATEGIES & SOLUTIONS

Dr Richard Chadwick
General Manager
Adjudication Branch
ACCC
GPO Box 3131
CANBERRA ACT 2601

17 August 2011

Dear Dr Chadwick,

Application for Authorisation A91269 lodged by NANA

I represent the Applicant.

We welcome the statement by NSW Lotteries that it has "no objection to the fundamental concept of collective bargaining"

The following are the Applicants comments on the submission from NSW Lotteries dated 12 August 2011 **Scope of Conduct to be authorised.**

- The Applicant is happy to limit the delete the "protocols" and change that to "any procedures issued by NSW Lotteries that are directly relevant to the conduct of lotteries."
- The Applicant does not agree to limit the authorisation to only those matters listed in Attachment A, there needs to be some flexibility to accommodate change. The NSW Lotteries suggests a further notification should such future issues arise. A notification is not appropriate, a minor variation might be but ACCC practice has been to build in some flexibility into a collective bargaining authorisation.

Dispute Resolution

- The Applicant is happy to rely on the current NSW Regulatory requirements but reserves the right to seek a minor variation to the authorisation should those regulatory requirements no longer apply.

Market Definition

- The Applicant is of the view that the market is as submitted or is a number of sub markets consisting of what the Applicant has submitted and what NSW Lotteries submits.

Correction of factual information.

- The Applicant is happy to take on board the comments by NSW Lotteries. The Applicant obtained some of the information from the NSW Lotteries website.

Yours truly,

A handwritten signature in black ink, appearing to read "Hank Spier". The signature is written in a cursive, flowing style with a large initial 'H' and a distinct 'S'.

Hank Spier