



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: C2011/660  
Contact Officer: Gina D'Ettorre  
Contact Phone: 03 9290 1483

26 August 2011

Mr Hank Spier  
Principal  
Spier Consulting P/L  
4 Waller Crescent  
CAMPBELL ACT 2612

**By email: [spierconsulting@netspeed.com.au](mailto:spierconsulting@netspeed.com.au)**

Dear Mr Spier

**Application for authorisation A91269 lodged by the Newsagents Association of NSW & ACT Ltd (NANA) - draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination proposing to grant authorisation in respect of the application for authorisation lodged by the Newsagents Association of NSW and ACT (NANA) on 1 August 2011.

**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 NANA authorisation to collectively bargain on behalf of its members with NSW Lotteries for five years. The ACCC's assessment is set out in Chapter 4 of the draft determination on pages 9 to 20.

**Interim authorisation**

The ACCC has also granted interim authorisation to allow NANA to commence collective bargaining with NSW Lotteries while the ACCC considers the application for authorisation. Interim authorisation will remain in place until the ACCC's final decision comes into effect or until the ACCC decides to revoke interim authorisation.

**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 **Friday, 9 September 2011**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **Friday, 16 September 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.

<b>1 August 2011</b>	Lodgement of application and supporting submission.
<b>3 August 2011</b>	Public consultation process begins.
<b>15 August 2011</b>	Closing date for submissions on substantive application and interim authorisation.
<b>26 August 2011</b>	ACCC decision regarding draft determination and interim authorisation granted.
<b>9 September 2011</b>	Deadline to request a conference.
<b>16 September 2011</b>	Closing date for submissions from interested parties.
<b>23 September 2011</b>	Closing date for submission from NANA in response to interested party submissions.
<b>October 2011</b>	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 Marie Dalins on 03 9290 1893 or Gina D'Ettoire on 03 9290 1483.**

**Yours sincerely**

A handwritten signature in blue ink, appearing to be 'Richard Chadwick', written over a horizontal line.

**Dr Richard Chadwick  
General Manager  
Adjudication Branch**