



**Australian
Competition &
Consumer
Commission**

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Our Ref: TRACKIT 43860
Contact Officer: Susan Philp
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20 April 2011

Dear

**Australian Hotels Association application authorisation A91257
– final determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a determination in respect of the application for authorisation lodged by the Australian Hotels Association's Divisions on 25 October 2010 and revised on 30 March 2011.

In their revised application the AHA Divisions have sought authorisation to permit collective bargaining on behalf of their current and future members with a number of providers of wagering services, subscription broadcasting services, licensing of the public performance and communication rights in musical works, licensing of the broadcast, communication or performance of protected sound recordings or music video clips, accommodation booking services and suppliers of electronic gaming machines.

In revising the application the AHA Divisions withdrew their request for authorisation as it applied to the providers of wine, beer, spirits, soft drink, energy, advertising, cigarettes, insurance, confectionary, catering services, communication services, superannuation, banking, employment providers, training providers, accounting services, auditing services, IT services and security services.

The AHA Divisions also withdrew their application for authorisation to permit collective bargaining with unidentified counterparties.

A copy of the ACCC's determination is attached, including a summary of its reasons. For the reasons set out in its determination, the ACCC has decided to grant authorisation until 30 June 2016. The ACCC's assessment is set out in chapter five of its determination.

Application for review

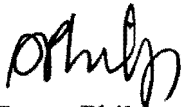
Pursuant to section 101 of the *Trade Practices Act 1974*, a person dissatisfied with this determination may apply to the Australian Competition Tribunal for its review. An application for review must be made within 21 days of the date of this determination; that is, on or before 11 May 2011. If no application to review is lodged by this date, the ACCC's determination will come into force on 12 May 2011.

An application for review of the ACCC's determination should be lodged directly with the Australian Competition Tribunal. The Australian Competition Tribunal is a separate body from the ACCC and is located within the Federal Court of Australia.

For further information about the process involved in reviewing decisions in the Australian Competition Tribunal please refer to the tribunal's website located at <http://www.competitiontribunal.gov.au/>.

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

List of interested parties

- 121 Employment
- A4E Australia
- ABC
- ACT Gambling & Racing Commission
- ACT Gambling & Racing Commission
- ACT TAB
- ActewAGL
- AGL
- Ainsworth Game Technology
- Amarda
- American Express International Inc
- Amtek
- Andale Beer Dispensing Equipment
- Angove Family Winemakers
- ANZ
- AON
- Aristocrat Technologies
- Aruze Gaming Australia
- Aurora
- Austar for Business
- Australian Bankers' Association
- Australian Beverages Council *
- Australian Capital Tourism
- Australian Communications and Media Authority
- Australian Consumers Association (Choice)
- Australian Harness Racing Council
- Australian Institute of Training and Development
- Australian Interactive Media Industry Association
- Australian Jockey Club
- Australian Liquor Marketers
- Australian Performing Rights Association (APRA)
- Australian Racing Board
- Australian Securities & Investments Commission
- BankWest
- Bepoz Retail Solutions
- BGA
- Bidvest Hospitality Supplies
- Bistec
- Bitch Brewing
- BOC Gases
- Brewers Association of Australian & New Zealand Inc
- British American Tobacco Australia Ltd
- Brown-Forman Australia
- Butt Free Australia
- Bytecraft Systems
- Campbell Page
- Canberra Convention Bureau
- Capital 3

- Capital Linen
- Capitol Chilled Foods Australia Pty Ltd (Canberra Milk)
- Cashcard Australia
- CDS Gourmet Foods
- CEJ Promotions
- Centrebet
- Check Inn Systems
- Clubs ACT
- Clubs Australia
- Clubs NSW
- Clubs NT
- Clubs QLD
- Clubs SA
- Clubs TAS
- Clubs Victoria Inc
- Clubs WA
- Coca Cola Amatil (Aust) Pty Ltd
- Colliers
- Commissioner for Licensing
- Commonwealth Bank of Australia
- Constellation Wines Australia
- Coopers Brewery
- Council of Small Business Organisations of Australia
- Cripps Nubake
- CRS Australia
- Customers ATM
- Daiquiri King
- Darwin Greyhound Association
- Darwin Turf Club
- De Bortoli Wines
- Department of Broadband, Communications and the Digital Economy
- Department of Education, Employment and Workplace Relations (DEEWR)
- Department of Employment, Economic Development and Innovation
- Department of Employment, Education and Training
- Department of Further Education Employment Science and Technology
- Department of Justice, Workplace Standards
- Department of Racing Gaming & Liquor
- Diageo Australia
- Distilled Spirits Industry Council of Australia Inc
- Drinkwise
- Ebet Gaming Systems
- Empire Liquor
- Employers Mutual
- Energy Action
- Energy Australia
- Europcar
- Expedia Australia Pty Ltd
- Fairfax
- First Degree Commercial Refrigeration
- Flight Centre

- Fonterra
- Food Industry Association WA Inc
- Foodservice Industry Association (FIA) (Victoria / Tasmania)
- Foster's Group
- Fox Sports
- Foxtel Management
- Franklyn Scholar
- Gamblers Anonymous
- Global Coffee Solutions
- Global Gaming Industries
- Good Nuts
- Greyhound Racing South Australia
- Greyhound Racing Victoria
- H & L Australia
- Harness Racing South Australia
- Hill Equipment
- Hobart Greyhound Racing Club
- Hobart Media Centre
- Host Plus
- Hostec International
- Hotel Liquor Wholesalers
- IGT
- Imperial Tobacco Australia Pty Ltd
- Independent Brands Australia
- Independent Distillers Australia
- Independent Gaming
- Inn Quest Australia
- Insurance Council of Australia
- Intrust Super Fund
- Intuit
- Island 2 Island Beverage Company
- James Richardson Group
- Jasol Australia
- Job Support Inc
- Jones Lang Lasalle Hotels
- Keycard ATM
- Knight Frank
- Konami Australia Pty Ltd
- Lastminute.com.au (Australia) Pty Ltd
- Licensing Commission
- Link Solutions
- Lion Nathan
- Liquor Marketing Group
- Liquor Merchants Association of Australia Ltd
- Little Creatures Brewing
- Macmont Gaming Supplies
- Macquarie Broadcasting
- MAX Employment
- Maximum Gaming
- MBF

- ME Bank
- Meat & Livestock Australia
- Melbourne Racing Club
- Mint
- Moonee Valley Racing Club
- MTC Work Solutions
- MYOB
- Myriad Group
- National Australia Bank Limited
- National Employment Services Association
- Nespresso Professional
- Nestle Professional
- Network Gaming
- News Limitd
- Nightlife Music Video Pty Ltd
- NSW Bookmakers Co-operative Ltd
- NSW Department of Gaming & Racing
- NT Department of Racing Gaming & Licensing
- O Group
- Oakley Textiles
- OAMPS Insurance Brokers
- Office for Racing
- Office of Gaming and Racing
- Office of Industrial Relations, NSW Department of Commerce
- Office of the Liquor & Gambling Commissioner
- Options Wine Merchants
- Optus
- Origin Energy
- ORS Employment Solutions
- Page Seager Lawyers
- Perks
- Perod Ricard Australia
- PFD Foodservice
- Philip Morris
- PPCA
- Premium Beverages
- Queensland Bookmakers Association
- Queensland Office of Gaming Regulation
- Racing & Wagering Western Australia
- Racing Victoria Ltd
- Recruitment and Consulting Services Association Ltd (RCSA)
- Retail Systems Australia
- SA Liquor Distributors
- Samuel Smith & Son
- Sanyo Office Machines Pty Ltd
- Schweppes Australia
- SCI Workforce Employment Service
- Shuffle Master
- Sky Channel
- Snack Brands Australia

- South Australian Bookmakers League Inc
- South Australian Thoroughbred Racing Authority
- Southern Cross
- Sportsbet
- St George Bank
- Support Staff
- Sydney Employment Development Services
- Synergy
- Tabcorp
- Tas Hotel and Catering Supplies
- Tasgas
- Tasmanian Bookmakers Association
- Tasmanian Pacing Club
- Tasmanian Polytechnic
- Taylors Wines
- Telcoblue
- Telstra
- The Energy Retailers Association of Australia Limited
- The Smith's Snackfood Company
- Thirst!
- ThoroughVisionN Pty Ltd
- Top Cut Food Industries
- TOTE Tasmania
- Tourism Australia
- Tourism NSW
- Trans Tasman Energy Group
- Trusonic
- Unitab Ltd
- United Innkeeper Association (Thirsty Camel)
- Vectron Systems
- Victoria Racing Club
- Victorian Bookmakers Association Ltd
- Vinatero
- Vintek
- Vittoria Coffee
- WA Bookmakers Association Inc
- WA Department of Commerce
- WA TAB Agents' Association Inc
- Wage Easy Payroll
- Westpac Banking Corporation
- WIN TV
- Winemakers Federation of Australia
- Wotif
- Xcelerate Employment Services