

22nd October 2013

Dr Richard Chadwick
General Manager
Adjudication Branch
Australian Competition & Consumer Commission
GPO Box 3131
CANBERRA ACT 2601

Dear Dr Chadwick,

ACCC Interim Authorisation for APRA:

I refer to the letter dated 21 October 2013 from the Australian Hotels Association to the ACCC and the ACCC intention to consider granting an interim authorisation for APRA's arrangements. The Australian Retailers Association's (ARA) support in granting an interim authorisation is subject of the conditions as outlined in the Australian Hotels Association letter of 21 October 2013.

The ARA's support for an interim authorisation is given on the condition that the term of the authorisation is for a period until 15 June 2014.

The ARA also agrees that the interim authorisation should expire on or before 15 June 2014 and we would require the following to support an interim authorisation:

- APRA to publish before 15 April 2014 as a single document, a comprehensive plain English guide that outlines all of the license categories individually, including the specified information in C3 and a simple comprehensive plain English license assessment form and a simple plain English form for each license category.
- We believe that APRA needs to publish a single document detailing the revised ADR scheme as set out in C5 on or before 15 April 2015.
- We would also ask that the ACCC publish guidelines to assist the Copyright Tribunal in the determination of copyright remuneration on or before April 15 2014.

If the publication of the requested guides were a condition, then any concerns a party has to the contents of the guide which in turn impacts on the nature of the authorisation, would not be appropriately dealt with until the next authorisation process.

The ARA is of the view that no prejudice will be suffered by any party of the interim authorisation period and is set at 15 June 2014. Members of the ARA as well as any other users would be prejudiced if there was a shorter interim authorisation period. It would be the view of the ARA that if the fair guides, fair dispute resolution process and the ACCC copyright guidelines are not finalised and taken into account when the final authorisation determination guidelines are written, then it would seem to be inconsistent in balancing the public benefit and public detriment.

The ARA is supportive of the principals for future authorisations, however prior to finalizing any principals, we believe that the request from the Australian Hotels Association, along with the ARA request should be taken into consideration.

Yours sincerely



Russell Zimmerman
Executive Director.