



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

Dear Dr Chadwick

Australasian Performing Right Association Ltd interim authorisation

I refer to the ACCC's proposed interim authorisation of three years' duration for the Australasian Performing Right Association Ltd (APRA).

I submit that the authorisation should be of more limited duration, of approximately six to twelve months, and no longer.

As I stated in my letter to the ACCC of 21 June 2013, the ACCC should grant an interim authorisation of six to twelve months in order to allow sufficient time for the ACCC to investigate the issues raised in my letter, prior to any longer authorisation being granted.

The APRA has a monopoly role affecting about 82,000 businesses, with the vast majority being small businesses. Some of the allegations are of a serious nature, such as misleading conduct. These issues must therefore be given appropriate consideration.

Once the ACCC has conducted these investigations it will be better placed to make an informed decision regarding granting a longer authorisation and the wider APRA framework.

Additionally, I support the Australian Hotels Association (AHA) advocacy in its letter to the ACCC of 21 October 2013 that the additional conditions proposed by the ACCC, such as the publication of the plain English guide to the licence categories, should be fulfilled by APRA in a relatively short timeframe, prior to the expiration of this shorter authorisation.

As the AHA states, should these documents not be available for public scrutiny prior to the granting of a longer authorisation, the concerns of affected parties would not be addressed until the next authorisation process.

Thank you for giving me the opportunity to comment on the ACCC's intention to grant APRA an interim authorisation. Should you wish to discuss any of the issues raised in this submission please contact Adam Spivakovsky, A/Senior Advisor, Advocacy on (02) 8222 4835.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Yasmin King', written over a horizontal line.

Yasmin King
NSW Small Business Commissioner
22 October 2013