

Our Ref: 49759  
Contact Officer: Hayley Parkes  
Contact Phone: (03) 9290 6926



**Australian  
Competition &  
Consumer  
Commission**

28 February 2013

Mr Patrick Gay  
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By email: [Patrick.gay@freehills.com](mailto:Patrick.gay@freehills.com)

Dear Mr Gay

**Notification N96146 - N96148 submitted by Tabcorp Wagering (Vic) Pty Ltd, TabcorpWagering Manager (Vic) Pty Ltd and TAB Ltd - request for material to be excluded from the public register**

I refer to your letter dated 12 February 2013 with respect to the above mentioned exclusive dealing notifications lodged by Tabcorp Wagering (Vic) Pty Ltd, Tabcorp Wagering Manager (Vic) Pty Ltd and TAB Ltd (Tabcorp) with the Australian Competition and Consumer Commission (the ACCC) on 14 September 2012.

I have considered Tabcorp's request that the entirety of the letter dated 12 February 2013, and the sections of the letter dated 31 January 2013, as redacted, be excluded from the ACCC's public register.

As you are aware, the ACCC is generally required under section 95 of the *Competition and Consumer Act 2010* (the Act) to place documents provided to it in relation to a notification on the ACCC's public register. The Act provides that a person submitting a document in relation to a notification may request that the document or parts thereof be excluded from the public register by reason of the nature of certain information contained in the document.

As a person authorised to make a decision for and on behalf of the ACCC in relation to such a request, I advise that the relevant parts of the submission dated 31 January 2013 will not be placed on the public register. Your correspondence dated 12 February 2013 will not be placed on the public register in its entirety.

With respect to the information that Tabcorp seeks to have excluded from the public register, the ACCC will not disclose this information to any third parties, other than the ACCC's legal and economic advisors, without first obtaining your written consent or unless compelled to do so by law.

This letter has been placed on the ACCC's public register.

I note that the redacted version of your letter dated 31 January 2013 will be placed on the public register in the form it was provided to the ACCC.

Should you have any queries in relation to this matter, please do not hesitate to contact Hayley Parkes on (03) 9290 6926.

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized 'R' followed by a horizontal line.

Richard Chadwick  
General Manager  
Adjudication Branch