



Australian  
Competition &  
Consumer  
Commission

Our Ref: N96511  
Contact Officer: Michael Drake  
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2 January 2013

Attn: Allison McLeod  
Norton Rose Australia  
Level 15, RACV Tower  
485 Bourke Street  
MELBOURNE VIC 3000

By Email: [allison.mcleod@nortonrose.com](mailto:allison.mcleod@nortonrose.com)

Dear Ms McLeod

**Notification N96511 submitted by Clark Rubber Franchising Pty Ltd –  
request for material to be excluded from the public register**

I refer to the notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 27 December 2012.

I have considered Clark Rubber Franchising Pty Ltd's request that the confidential submission attached with the Form G application 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 document will not be placed on the public register.

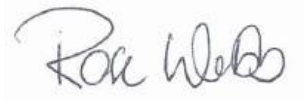
I note that the application contends that the information provided to the ACCC is on the basis that it will not be released or used for any other processes or purposes without the specific written approval of Clark Rubber Franchising Pty Ltd. With respect to the submission described above that Clark Rubber Franchising Pty Ltd 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 you also provided a public version of your client's submission. This version 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 Michael Drake on (03) 9658 6517.

Yours sincerely

A handwritten signature in black ink that reads "Rose Webb". The signature is written in a cursive style with a large initial 'R'.

Rose Webb  
Executive General Manager  
Mergers and Adjudication Group