



**Australian
Competition &
Consumer
Commission**

Our Ref: C2012/840
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17 January 2013

By email

Dear Sir / Madam

Narta International Pty Ltd application for authorisation A91335 - draft determination

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by Narta International Pty Ltd (**Narta**) on 17 September 2012.

Please see the ACCC's publication [Authorisation process - the basics](#) for a summary of the authorisation process and how to make a submission to the ACCC.

Narta is seeking authorisation for its members to enter into and give effect to an amended version of clause 5.8 of the Narta Constitution and Code of Conduct under which members would agree to abide by any minimum advertising price as set by Narta from time to time. This would enable Narta to impose a minimum advertising price (**MAP**) on a range of goods collectively acquired by its members, namely Beko branded electrical goods, new release or premium electrical goods, and exclusive models of electrical goods. The level of the MAP would be set by Narta senior management and notified to members. Narta would not impose limitations or restrictions on a member's actual selling prices.

Draft determination

A copy of the ACCC's draft determination, including a summary of its reasons, is attached. For the reasons set out in its draft determination, the ACCC proposes to deny authorisation.

Next steps

Once the ACCC issues a draft determination, Narta or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **7 February 2013**.

A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by **31 January 2013**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications.

Submissions will be placed on the ACCC's public register subject to any request for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

Timetable

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

Indicative date	Stage in assessment process
17 September 2012	Lodgement of application and supporting submission.
24 September 2012	Public consultation process begins.
17 January 2013	Draft determination.
31 January 2013	Deadline to call a pre-decision conference in relation to the draft determination.
7 February 2013	Deadline to provide a submission in relation to the draft determination.
March 2013	Final determination.

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 Tanya Hobbs on 02 6243 1029 or Jasmine Tan on 02 6243 1363.

Yours sincerely



Richard Fleming
A/g General Manager
Adjudication Branch