



**Australian
Competition &
Consumer
Commission**

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Our Ref: 51588
Contact Officer: Michael Drake
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20 June 2013

Rob Smith
Foreign Associate
Ashurst Australia
225 George Street
Sydney NSW 2000

By email: rob.smith@ashurst.com

Dear Mr Smith

**Authorisation application submitted by Holcim (Australia) Pty Ltd –
request for material to be excluded from the public register**

I refer to your application for authorisation lodged with the Australian Competition and Consumer Commission (the ACCC) on 19 June 2013.

I have considered your client's request that the relevant parts of the supporting submission to the application be excluded from the ACCC's public register.

As you are aware, the ACCC is generally required under section 89 of the *Competition and Consumer Act 2010* (the Act) to place documents provided to it in relation to an application for authorisation on the ACCC's public register. The Act provides that a person submitting a document in relation to an authorisation application 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 supporting submission will not be placed on the public register.

With respect to the paragraphs described above that your client 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 clients' 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 blue ink, consisting of a stylized initial 'R' followed by a long horizontal stroke.

Dr Richard Chadwick
General Manager
Adjudication Branch