

Our Ref: A91407
Contact Officer: Susan Philp
Contact Phone: 02 6243 1351



**Australian
Competition &
Consumer
Commission**

20 February 2014

Mr Hank Spier
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Dear Mr Spier

**Authorisation A91407 submitted by the Australian Newsagents' Federation
- request for further information**

I refer to the application for authorisation lodged by the Australian Newsagents' Federation (ANF) with the Australian Competition and Consumer Commission (the ACCC) on 3 February 2014.

As mentioned in our phone conversation of earlier today, the ACCC is seeking further information from the ANF to assist in the ACCC's assessment of the authorisation application.

Request for additional information

- 1) For each class of target identified by the ANF please provide a description of the goods and/or services for which the ANF proposes to collectively bargain.
- 2) Please provide details of the proposed process for negotiation, for example selection of bargaining representatives, process for communicating with members, process for decision making and management of confidential information.
- 3) The ANF is seeking authorisation to negotiate with future / unidentified counterparties. Please identify those classes of target for which the ANF is seeking this scope of immunity. The ACCC would welcome any additional submissions the ANF may wish to make in respect of future / unidentified counterparties.

As was also noted it has been put to the ACCC that the introduction of a collective bargaining group may, in some circumstances, give rise to public detriment where that bargaining group *creates* an imbalance in bargaining power. For example this may occur where a group of small businesses propose to collectively bargain with an individual small business. The ACCC seeks the ANF's response to this proposition and any safeguards it considers would prevent such concerns being realised under its proposal.

Please provide the ANF's response to this information request by 5 March 2014.

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 the writer on 02 6243 1351.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'S Philp', is positioned above the typed name.

Susan Philp
Director
Adjudication Branch