



March 4, 2014

Ms S Philp  
 Director, Adjudication Branch  
 Australian Competition & Consumer Commission  
 GPO Box 3113  
 Canberra ACT 2601  
 BY FAX

FILE No:
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Dear Ms Philp

REF: TRACKIT 53773

**Australian Newsagents Federation Application for revocation of authorization A91134 and A91174 and substitution of new authorization A91407 – interested party consultation**

I refer to your letter of February 12, 2014. This is the first we heard that the Australian Newsagents' Federation (ANF) identified Tower Systems as a business with which they would like to collectively bargain.

We have had no communication from the ANF on this matter.

We are unaware of any collective bargaining interest the ANF has in relation to our business.

Tower Systems has served Australian newsagents since February 1981. Today, we directly serve in excess of 1,900 newsagents. We understand this to be more than the membership of the ANF.

At no time in our history has the ANF sought to collectively bargain with Tower Systems on behalf of newsagents – leaving us to wonder *why now?*

When the ANF has sought help from this company in support of newsagents – by providing access to sales benchmark and other newsagency business data we collect from our customers – we have readily agreed.

Tower Systems has a history of active and open engagement with its newsagent customers and, indeed, with newsagent suppliers on behalf of the Tower Systems customer community.

There are many instances where we have collectively but not formally 'represented' the interests of newsagents, not just our customers, to suppliers such as News Corp., Fairfax, Bauer Media, Pacific Magazines, Group Newsagency Suppliers and XchangeIT where the ANF had failed to do so itself.

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The ANF engages directly and indirectly in commercial activity that competes with some activities of this company. It is our view that their commercial activities place the ANF in conflict with the activities one would expect of an industry association for it is the one body engaging in commercial activity and representing some newsagents.

We are not aware of any public benefits that could be achieved by the ANF collectively bargaining with us on behalf of newsagents.

The competition between newsagency software companies has been healthy for decades. We cannot see the ANF now getting involved adding to the competition.

This is the extent of our comments at this time. We would be happy to answer any questions or provide further clarification on any point.

Sincerely,



Mark Fletcher  
Managing Director