



Australian
Competition &
Consumer
Commission

Our Ref: 54561
Contact Officer: Tanya Hobbs
Contact Phone: 02 6243 1029

GPO Box 3131
Canberra ACT 2601

23 Marcus Clarke Street
Canberra ACT 2601

tel: (02) 6243 1111
fax: (02) 6243 1199

www.accc.gov.au

9 May 2014

Dear Sir/Madam

Lottery Agents Association of Victoria Inc application for revocation of authorisation A91126 and substitution of new authorisation A91425 – interested party consultation

The Australian Competition and Consumer Commission (the ACCC) is currently conducting a consultation process on an application for re-authorisation (application for revocation and substitution) received from Lottery Agents Association of Victoria Inc (**LAAV**) on 8 May 2014.

The purpose of this letter is to invite you, as a potentially interested party, to comment on the application. 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.

Application for 're-authorisation'

LAAV is seeking the revocation of authorisation of A91126 and substitution of authorisation A91425 for ten years to allow it to continue collective bargaining on behalf of its members over the terms and conditions of retailer agreements and arrangements with Tatts Group and Intralot and any other lottery operator licenced by the Victorian Government (the **Conduct**).

A copy of the application is available on the ACCC's website www.accc.gov.au/AuthorisationsRegister.

Background

The ACCC previously granted authorisation to allow LAAV to negotiate the terms and conditions of retailer agreements and arrangements with Tattersall's Sweeps Pty Ltd (Tattersall's) and Intralot Australia Pty Ltd until 25 June 2014.

Interim authorisation

LAAV has also requested interim authorisation to engage in the Conduct.

The ACCC endeavours to deal with requests for interim authorisation quickly. In making an assessment as to whether it is appropriate to grant interim authorisation, the ACCC is not required to undertake a full assessment of the benefit and detriment likely to arise as a result of the proposed conduct.

The ACCC decides whether to grant interim authorisation on a case by case basis. Should an applicant request interim authorisation, the ACCC will usually consider a range of factors, including:

- harm to the applicant and other parties if interim is or is not granted
- possible benefit and detriment to the public
- the urgency of the matter and
- whether the market would be able to return to substantially its pre-interim state if the ACCC should later deny authorisation.

Request for submissions

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements. Further, the ACCC invites you to outline your general experience of the Conduct during the term of the previous authorisation. The ACCC would also welcome your views on the public benefits and detriments you consider have actually resulted from the Conduct during the previous authorisation period.

If you intend to provide a submission in relation to LAAV's request for interim authorisation and substantive application for re-authorisation please do so by **28 May 2014**. Submissions should be emailed to adjudication@acc.gov.au with the subject "A91425 – Lottery Agents Association of Victoria – submission".

Alternatively, if you would like to provide comments orally, please contact Tanya Hobbs on 02 6243 1029 or via email adjudication@acc.gov.au to organise a suitable time.

Submissions, including oral 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 progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information.

Indicative date	Stage in assessment process
8 May 2014	Lodgement of application and supporting submission.
9 May 2014	Public consultation process begins.
28 May 2014	Closing date for submissions on interim authorisation and substantive authorisation.

Indicative date	Stage in assessment process
4 June 2014	Applicant responds to issues raised in the public consultation process.
mid Jun 2014	ACCC decision regarding interim authorisation.
June 2014	Draft determination.
June/July 2014	Public consultation on draft determination including any conference if called.
July/August 2014	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the application at the draft and final determination stages. If you are able to, please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the application.

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 92 6243 1029 or adjudication@acc.gov.au.

Yours sincerely



Dr Richard Chadwick
General Manager
Adjudication Branch

Interested parties list

Australian Newsagents Federation
Australian Retailers Association
Department of Justice, Office of Liquor, Gaming and Racing
Intralot
National Retailers Association
Tatts Group
Victorian Association of Newsagents
Victorian Commission for Gambling and Liquor Regulation