



**Australian  
Competition &  
Consumer  
Commission**

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](http://www.accc.gov.au)

Our Ref: TRACKIT 54550  
Contact Officer: Gina D'Ettorre  
Contact Phone: 03 9290 1483

12 May 2014

Mr Patrick Gay  
Partner  
Herbert Smith Freehills

**By email: [Patrick.gay@hsf.com](mailto:Patrick.gay@hsf.com)**

Dear Mr Gay

**Authorisations A91419 – A91424 submitted by TAB Limited & Tabcorp Wagering  
Manager (Vic) Pty Ltd – request for material to be excluded from the public register**

I refer to your applications for authorisation lodged with the Australian Competition and Consumer Commission (the ACCC) on 7 May 2014.

I have considered your request that the unredacted version of the submission in support of the applications, table of contents and letter regarding the request to exclude these documents from the ACCC public register (together the confidential documents) 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 confidential documents will not be placed on the public register.

I note that confidential submission contends that the information provided to the ACCC is on the basis that it will not be released or used for any other processes or purposes without the specific written approval of the Applicants. With respect to the confidential documents identified above that you seek 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 Gina D'Ettorre on 03 9290 1483.

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized initial 'R' followed by a long horizontal line extending to the right.

Dr Richard Chadwick  
General Manager  
Adjudication Branch