



**Australian  
Competition &  
Consumer  
Commission**

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9 July 2014

Dear Sir/Madam

### **Tooltechnic Systems (Aust) Pty Ltd application for authorisation A91433 – interested party consultation**

The Australian Competition and Consumer Commission (the ACCC) is currently conducting a consultation process on an application for authorisation received from Tooltechnic Systems (Aust) Pty Ltd (Tooltechnic) on 20 June 2014.

Tooltechnic is proposing to amend its agreements with its Festool dealers to include a requirement for resellers to not sell any Festool product below a price(s) nominated by Tooltechnic (Proposed Arrangement). The implementation of the Proposed Arrangement will be the inclusion of a pricing clause in Tooltechnic's agreements with its dealers which will mandate dealers are not to sell any Festool product below a price(s) nominated by Tooltechnic.

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.

A copy of the application is available on the ACCC's website [www.accc.gov.au/AuthorisationsRegister](http://www.accc.gov.au/AuthorisationsRegister).

#### **Request for submissions**

The ACCC invites you to make a submission on the likely future without, the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements.

If you intend to provide a submission in relation to Tooltechnic's application for authorisation please do so by **25 July 2014**. Please email your submission to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) with the subject "A91433 – Tooltechnic Systems (Aust) Pty Ltd – submission".

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.

<b>Indicative date</b>	<b>Stage in assessment process</b>
20 June 2014	Lodgement of application and supporting submission.
9 July 2014	Public consultation process begins.
25 July 2014	Closing date for submissions from interested parties.
July/August 2014	Applicant responds to issues raised in the public consultation process.
September/October 2014	Draft determination.
September/October 2014	Public consultation on draft determination including any conference if called.
November/December 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 Darrell Channing on (02) 6243 4925 or Mark Basile on (03) 9290 1855, or [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au).

Yours sincerely



Dr Richard Chadwick  
General Manager  
Adjudication Branch

## **Interested parties list**

Able Air Compressors  
Ablefix Supply Company  
Adelaide Tools  
AGM Fasteners Pty Ltd  
Air Electric Power Tools  
Alliance Hardware  
Alltools Q-Air  
Attard Agencies  
Beyond Tools  
Bosch  
C & L Tool Centre  
Carba-Tec  
Combined Electrical & Workshop Services  
Einhell Ozito  
F & K Power Tools  
Fein  
Fremantle Power Tools  
Get Tools Direct  
Hitachi  
Huntingdale Power Tools  
Ideal Tools: Online Web Store  
Industrial Power Tool Services  
Industrial Tool Specialists  
Just Tools  
Kingsford Timber Mitre 10  
Hitachi  
Makita  
Metabo  
Mobile Tools: Mobile Van Service  
Northern Abrasives & Tools  
Norwest Tool Centre  
Nover & Co  
Omer Tools  
Power Tool Specialists  
Power Tools & Machinery Sales  
Premium Quality Tools: Mobile Van Service  
Rrreal Power Tools  
Southside Power Tools  
Specialised Joinery Supplies  
Specialty Fasteners Pty Ltd  
Spinafix Supplies Pty Ltd  
Sydney Tools  
Techtronic/Milwaukee/Ryobi/AEG  
The Tool Doctor  
The Tool House  
The Tool Store  
Timber Tools n Machinery  
Tool Centre Mckinnon  
Toolfix Fasteners  
Toolmart Belmont  
Tooltechnic Systems (AUST)

Total Tools  
Trecam Abrasives Pty Ltd  
United Tools  
VEK Tools  
Vijay's Power Tools  
Village Mowers & Power Tools  
WA Trade Tool Centre  
Warren Electrical Service  
Werribee Power Tools