

12 May 2015

Dr Richard Chadwick  
General Manager, Adjudication  
Australian Competition and Consumer Commission  
23 Marcus Clarke Street  
Canberra ACT 2601

**By Email: [Hannah.Ransom@acc.gov.au](mailto:Hannah.Ransom@acc.gov.au)**

Dear Dr Chadwick

**Re: Association of Magazine Publishers of Australia Inc application for authorisation A91472 – follow up from Conference**

Thank you for giving us an opportunity to participate in the conference held on 23 April 2015.

We see positives and negatives in the new proposed plans for the trial. What particularly does disturb us is this comment made by Paul Holm in his letter dated 5 May 2015, to you.

**“Transparency of Pilot Outcomes**

My client is engaging a data analytics company to analyse the results of the pilot. My client proposes to provide the ACCC with a copy of this report immediately following its being provided and agrees to this being placed on the Commission’s public register. The aggregate results will also be shared with the newsagents through the Australian Newsagents Federation and will be shared individually with each store participating in the trial.”

From the way it is worded, it appears only the aggregate results will be shared with the ACCC and newsagents through the Australian Newsagents Federation (ANF) and individually to each shop participating in the trial. Without raw figures, it’s very hard to confirm as all we know is what we are told. It leaves many people out of it such as many magazine distributors, retailers including newsagents. It also leaves many such as us and tower systems who both expressed interest in helping to monitoring the trials plus any other data analytics organisation anyone else would like to add out. It is also unfair as the only one capable of doing data analytics is a company selected by the MPA to analyse what happened as presumably they will get this raw data to comment on these trial's outcome.

As such we do not see how it could be said that the proposed trial is going to be a \*fully transparent process\* and that \*all data from the Pilot is available to all parties\*.

This is not my interpretation of what the MPA, the ACCC and Bauer Media stated should happen at the ACCC conference.

Yours sincerely

Bernard Zimmermann  
Director  
POS Solutions