



Australian
Competition &
Consumer
Commission

Our ref: 60537
Contact officer: Lyn Camilleri
Contact phone: 03 9290 1973

23 Marcus Clarke Street
Canberra ACT 2601

GPO Box 3131
Canberra ACT 2601

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

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adjudication@acc.gov.au

www.acc.gov.au

By Email: PGilardoni@gtlaw.com.au

Dear Ms Gilardoni

Bendigo and Adelaide Bank & Ors applications for authorisation (A91546 & A91547) – request for material to be excluded from the public register

I refer to the above applications for authorisation and to the Applicants' claim of confidentiality over the following information:

- the confidential Annexure A annexed to the Applicants' joint response to the ACCC letter dated 21 September 2016 requesting further information
- each of the Applicants' individual responses to the ACCC letter dated 21 September 2016 requesting further information, and
- the information shaded magenta on pages 7 and 30 of the expert report by Dr Susan Athey forming part of the Applicants' response to interested party submissions
(together, the **Confidential Information**).

I have considered the Applicants' request to exclude the above information 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 Information set out above will not be placed on the public register. This letter has been placed on the ACCC's public register.

Should you have any queries in relation to this matter, please do not hesitate to contact Lyn Camilleri on 03 9290 1973.

Yours sincerely

Baethan Mullen
A/g General Manager
Adjudication