



**Australian
Competition &
Consumer
Commission**

Our Ref: 61256
Contact Officer: Anna Giannakos
Contact Phone: (03) 9290 6920

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Canberra ACT 2601

2 December 2016

23 Marcus Clarke Street
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Ms Emily Capill
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Dear Ms Capill

**Fireplace Products Australia Pty Ltd Notification N99441
Request for material to be excluded from the public register**

This letter is to advise that the confidential Form G including exhibits C, D, E and F, and letter dated 21 November 2016 provided for the above notification dated 18 November 2016 will be excluded from the ACCC's public register and to provide you with information about how that material will be treated.

The ACCC is generally required under section 95 of the *Competition and Consumer Act 2010* (the CCA) to place documents lodged in relation to a notification on the ACCC's public register, subject to any request for exclusion due to confidentiality. It is expected that reasons supporting a request for exclusion will be provided.

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 version Form G and letter dated 21 November 2016 will not be placed on the public register.

The ACCC accepts confidential information contained in submissions on the following basis:

- There is no restriction on the internal use, including future use, the ACCC may make of the information consistent with its statutory functions.
- Information provided to the ACCC on a confidential basis may be viewed by the ACCC's external consultants (for example, legal, economic and industry advisors) on the condition that each consultant will be informed of the obligation to treat the information as confidential.
- The ACCC will not disclose information to any third parties, other than its external consultants, without first obtaining written consent from the party who provided the confidential information, unless it is otherwise compelled to do so by law or in accordance with section 155AAA.

We confirm that, if the ACCC is compelled by law to disclose the confidential information, the ACCC will provide you with as much notice as possible.

This letter, along with the public version Form G notification will be placed on the ACCC's public register.

Should you have any queries in relation to this matter, please do not hesitate to contact Anna Giannakos on (03) 9290 6920 or by email to adjudication@acc.gov.au.

Yours sincerely

A handwritten signature in grey ink, appearing to read 'Baethan Mullen', written in a cursive style.

Baethan Mullen
A/g General Manager
Adjudication