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Our ref: A91527
Contact officer: Gina D'Ettorre
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17/02/2016

By email

Dear Sir/Madam

Western Australian Broiler Growers' Association Inc application for revocation of authorisation A91262 and substitution of new authorisation A91527 – interested party consultation

The Australian Competition and Consumer Commission (the ACCC) is currently consulting on an application for re-authorisation (application for revocation and substitution) received from the Western Australian Broiler Growers' Association Inc (WABGA) on 15 February 2016.

The purpose of this letter is to invite you, as a potentially interested party, to comment on the application. Please see our publication [Authorisation process - the basics](#) for a summary of the authorisation process and how to make a submission to the ACCC.

Application for 're-authorisation'

The application for re-authorisation is to enable WABGA's chicken grower members to continue to collectively bargain with the chicken processor they supply.

Growers will form bargaining groups based on the processor for whom they grow with collective bargaining to occur on a processor by processor basis.

WABGA advises that no grower will participate in another grower bargaining group or have any involvement with any other bargaining group in sharing knowledge about the bargaining process or outcomes, nor provide any other assistance in relation to contract negotiations to any other bargaining group.

WABGA has also confirmed that any reference in the application about the contact negotiation process and/or details about contract terms and conditions is intended only to be indicative of the manner in which collective bargaining might be undertaken and the matters that may be dealt with in those negotiations.

A copy of the application is available on our website
www.acc.gov.au/AuthorisationsRegister.

Background

The ACCC previously granted authorisation permitting WABGA's current and future member growers to engage in collective bargaining with the chicken meat processors to whom they supply growing services. Authorisation was granted until 31 July 2016.

Request for submissions

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements.

Further, the ACCC invites you to outline your general experience of the collective bargaining arrangements during the term of the previous authorisation. The ACCC would also welcome your views on the public benefits and detriments you consider have actually resulted from the collective bargaining arrangements during the previous authorisation period.

If you intend to provide a submission on the application for re-authorisation please do so by **2 March 2016**. Submissions should be emailed to adjudication@acc.gov.au with the subject "A91527 – Western Australian Broiler Growers' Association Inc – submission".

Alternatively, if you would like to provide comments orally, please contact Gina D'Ettorre on 03 9290 1483 or by email at gina.dettorre@acc.gov.au to organise a suitable time.

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

Indicative date	Stage in assessment process
15 February 2016	Lodgement of application and supporting submission.
17 February 2016	Public consultation process begins.
2 March 2016	Closing date for submissions from interested parties.
March 2016	Applicant responds to issues raised in the public consultation process.
April 2016	Draft determination.
April/May 2016	Public consultation on draft determination including any conference if called.
May/June 2016	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 Gina D'Ettorre on 03 9290 1483 or gina.dettorre@acc.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D Hatfield', is positioned above the typed name.

David Hatfield
Director
Adjudication Branch