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8 July 2016

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Mr David Hatfield  
Director, Adjudication  
Australian Competition and Consumer Commission  
GPO Box 3131  
Canberra ACT 2601

Dear David

## **Property Media Group Pty Ltd – authorisation applications A91537 and A91538**

As you know, we act for REA Group Ltd (**REA**) in the above matter. We refer to our previous correspondence and the further submission received by the ACCC from Property Media Group Pty Ltd (**PMG**) dated 23 June 2016 (**Further PMG Submission**).

The Further PMG Submission contains little new factual material, misrepresents REA's submissions to the ACCC in several respects and does not address (much less refute) many of the submissions that REA has put to the ACCC or the facts highlighted by REA in support of those submissions. Accordingly, REA intends to respond to the Further PMG Submission. In order to allow it to do so, REA seeks access to other materials provided by PMG to the ACCC.

The Further PMG Submission:

- refers to a statement – also dated 23 June 2016 and apparently endorsed by certain agents – that appears to contain further factual material (**Agents' Statement**). PMG states that it "*places weight*" on the Agents' Statement and, indeed, many of the claims made in the Further PMG Submission appear to rely entirely on the Agents' Statement for support; and
- suggests that the ACCC has received from PMG a response to the ACCC's request for information dated 11 May 2016 (**PMG RFI Response**). The ACCC's request for information sought clarification on issues that are fundamental to PMG's application; including, for example, the composition of the proposed collective bargaining group, the proposed collective bargaining process and the circumstances in which a collective boycott against REA could be threatened or implemented.

Neither the Agents' Statement nor the PMG RFI Response have been made publicly available and REA assumes that PMG has claimed confidentiality over those documents. Without access to this material, interested parties cannot identify the conduct proposed to

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be authorised with any precision, assess the arguments put by PMG in favour of authorisation or respond properly to the Further PMG Submission.

REA appreciates that the Agents' Statement and the PMG RFI Response may contain information that is confidential and, in particular, information that discloses the identities of agents who would prefer to remain anonymous. However, if it is necessary to maintain the anonymity of particular agents, then that can be achieved simply by redacting identifying material and making the substance of the Agents' Statement publicly available.

We would be grateful if you could confirm the ACCC's position on these issues as soon as possible.

Yours faithfully

**Corrs Chambers Westgarth**



**Mark McCowan**

Partner