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Mr Ayman Guirguis
Partner
KL Gates

By email: ayman.guirguis@klgates.com
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Dear Mr Guirguis

LPO Group Ltd & Ors authorisation applications A91583 & A91584 — draft determination

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the applications for authorisation lodged by LPO Group & Ors (Applicants) on 11 May 2017.

A copy of the ACCC's draft determination and summary of its reasons is attached.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for five years.

Attached to this letter is an interested party information sheet responding to some queries received by the ACCC from interested parties regarding the scope of the collective bargaining application made by the Applicants, and the rights of licensees under the Franchising Code. We request that LPO Group communicate the Attachment to its licensed post office members.

Request for information

As you are aware, the Applicants seek authorisation for an exclusivity provision during periods of negotiations with Australia Post on 'material' changes to the LPO Agreement.

The ACCC's draft determination requests further information from the Applicants regarding the scope of 'material' issues so as to reduce any ambiguity regarding the scope of authorisation.

Next steps

Once the ACCC issues a draft determination, the Applicant or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **6 September 2017**. Submissions should be emailed to adjudication@acc.gov.au with the subject 'A91583 and A91584 – LPO Group & Ors – Submission'.

A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by **6 September 2017**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to this application.

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](#).

The Applicants will be provided with a further opportunity to make a written submission following the pre-decision conference, if called, and in response to interested party submissions.

Timetable

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

Indicative date	Stage in assessment process
11 May 2017	Lodgement of application and supporting submission.
30 June 2017	ACCC grants interim authorisation.
16 August 2017	Draft determination.
6 September 2017	Deadline to call pre-decision conference Closing date for submissions in relation to the draft determination
18 September 2017	Applicants respond to interested party submissions.
November 2017	Final determination.

This letter will be placed on the ACCC's public register. If you wish to discuss any aspect of this matter please do not hesitate to contact Anna Pound on (03) 9290 6920.

Yours sincerely



Marie Dalins
Director
Adjudication Branch