
From: Ben Kearney <ben@alna.net.au>
Sent: Monday, 30 January 2017 2:20 PM
To: Adjudication
Subject: TRIM: British American Tobacco & Ors application for authorisation A91550 —Pre-Decision Conference

Hi,

Thank you for the offer to participate in the Pre-Decision Conference in relation to British American Tobacco & Ors application for authorisation A91550.

Unfortunately we will not have a representative who is available on this date to participate.

We reiterate our previous comments in relation to this authorisation application:

- *We are of the view that there should be an appeal mechanism available if a retailer is sanctioned or cut off.*
- *This should not be an elaborate system but a simple one and the review should review the reason for any sanction. That being the case the sanction must always be accompanied by written reasons. Also, natural justice and fairness must be a review criteria.*
- *We suggest a small informal review body with three members, one from the tobacco companies, one from the retailers and an independent chair, maybe a former ACCC Commissioner?*
- *The decision of the review body should be binding on the applicants to the authorisation.*
- *The Review Committee should set its own processes but these must be timely.*

If these issues and protections were addressed, then we would be relatively comfortable with the proposed authorisation.

Kind Regards
Ben

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