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18/01/2017

By email

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www.acc.gov.au

Dear Sir / Madam

Homemakers South Limited application for revocation of authorisation A91284 and substitution of new authorisation A91570 – interested party consultation

The Australian Competition and Consumer Commission (the **ACCC**) is currently conducting a consultation process on an application for re-authorisation (application for revocation and substitution) received from Homemakers South Limited trading as Homemakers Furniture & Sleepzone Bedding (**Homemakers**) on 12 January 2017.

The purpose of this letter is to invite you, as a potentially interested party, to comment on the application. Please see the ACCC's 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 for Homemakers to continue to collectively bargain on behalf of its member retailers with suppliers for the supply of furniture, bedding and related stock, advertising and marketing services, and any related commercial arrangements for a period of ten years.

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

Background

The ACCC previously granted authorisation for Homemakers to collectively bargain on behalf of its furniture and bedding retail members until 31 May 2017.

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.

In particular the ACCC would appreciate your views on the following:

- Do any of Homemakers' member retailers directly compete with each other in the supply of furniture, bedding and related products to consumers?
- What has been your general experience of the collective bargaining conduct during the term of the existing authorisation?
- Have any public benefits and detriments resulted from the collective bargaining during the term of the previous authorisation?
- Have there been any changes to the industry or the proposed conduct that are relevant to the ACCC's consideration of the application for re-authorisation?

- Please comment on the appropriateness of the ten year authorisation period requested.

Submissions on the application for re-authorisation should be provided by **8 February 2017**. Submissions should be emailed to adjudication@acc.gov.au with the subject “**A91570 – Homemakers South Limited – submission**”.

Alternatively, if you would like to provide comments orally, please contact Fei Wu on (03) 9290 1987 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
12 January 2017	Lodgement of application and supporting submission.
18 January 2017	Public consultation process begins.
8 February 2017	Closing date for submissions from interested parties.
February 2017	Applicant responds to issues raised in the public consultation process.
March/April 2017	Draft determination.
April/May 2017	Public consultation on draft determination including any conference if called.
May/June 2017	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 Fei Wu on (03) 9290 1987 or by emailing adjudication@acc.gov.au.

Yours sincerely



Tess Macrae
Acting Director
Adjudication Branch

List of Interested Parties – Homemakers South Limited – Application for Revocation of Authorisation A91284 and Substitution of New Authorisation A91570

IMG Australia
Eastcoast Furniture
M Design
Dixie Cummings
HTL Manufacturing Pty Ltd
Lanfranco Furniture
Vivin Imports
Diamond Creek Furniture
Coral Bay East Coast
Eiffel Furniture
Mulberry Co Pty Ltd
La-z-Boy Australia Pty Ltd
HTL International
IQUÉ Living
Actona Company
Elite Lounges
Select-O-Pedic
Sleep Australasia
Sealy
Sleepzee Bedding
Sleepmaker
Kinc Agency
One Idea
Reg Advertising
ADMEDIA (Mildura) Pty Ltd
The Brand Agency
Nunn Media
Australian Retailers Association