
Notification of proposed collective bargaining

Notifying party

1 Provide details of the notifying party, including:

1.1 Name, address (registered office), telephone number and ACN

Name: Coalition of Major Professional and Participation Sports Association Inc. ABN 95 704 095 667 (**COMPPS**) on behalf of its members (together, the **Notifying Parties**).

Address: C/- Hall & Wilcox, Rialto South Tower, 525 Collins St, Melbourne VIC 3000
Telephone: C/- Hall & Wilcox, (03) 9603 3555

1.2 Contact person's name, telephone number, and email address

Hall & Wilcox
Ben Hamilton, Partner

Hall & Wilcox
James Pavlidis, Lawyer

1.3 A description of business activities

COMPPS is the united voice of Australia's seven major professional and participation sports, consisting of:

- (a) Australian Football League (ACN 004 155 211);
- (b) Cricket Australia (ACN 006 089 130);
- (c) Football Australia Limited (ACN 106 478 068);
- (d) Australian Rugby League Commission (ABN 94 003 107 293);
- (e) Netball Australia Limited (ABN 66 003 142 818);
- (f) Rugby Australia Ltd (ACN 002 898 544); and
- (g) Tennis Australia Limited (ABN 61 006 281 125)

(each, a **Member**).

Each Member is a governing body and custodian of a major professional and participation sport in Australia. They are not-for-profit bodies and are responsible for the long-term development and sustainability of their respective sport in Australia. A key purpose of each Member is to drive grassroots engagement and participation for all Australians in their sport.

A fundamental objective of each Member is to run live sporting events. An integral input into the production of a live sporting event is the ability to play music in public, principally

for the enjoyment of attending spectators and, therefore, the ultimate overall enjoyment of spectators.

COMPPS plays an industry leadership role:

- (a) to harness common issues and represent the interests of the Members to governments and other relevant bodies;
- (b) to maximize the impact of the sports by combining resources and speaking with one voice;
- (c) to propose sport initiatives that deliver on government outcomes; and
- (d) to stimulate opportunities for innovation and grow the global reputation of Australia as a leading sports nation.

1.4 Email address for service of documents in Australia

Documents can be sent care of Mr James Pavlidis at

[REDACTED]

Details of the notified conduct

2 Details of notified conduct

The notified conduct is for collective bargaining pursuant to s 93AB of the *Competition and Consumer Act 2010* (Cth). The notified conduct does not include a collective boycott.

3 Provide details of the notified conduct including:

3.1 A description of the notified conduct

COMPPS is seeking notification with respect to the acquisition of copyright licenses, in particular:

- (a) COMPPS wishes to negotiate with APRA, including trading as 'OneMusic' or 'OneMusic Australia', (referred to as **OneMusic**) on behalf of its Members, the terms and conditions (including as to licence fees) of copyright licences;
- (b) COMPPS wishes to represent its Members, through the Resolution Pathways alternative dispute resolution process, in respect of matters which are about the acquisition of the licenses described at 3.1(a);
- (c) COMPPS wishes to represent its Members, before the Copyright Tribunal, in respect of matters which are about the acquisition of the licenses described at 3.1(a); and
- (d) in the event that OneMusic is restructured or ceases to operate as it is currently constituted, COMPPS wishes to have the capacity to negotiate directly with APRA, AMCOS and PPCA on behalf of its Members about the acquisition of the licenses described in 3.1(a)(b) and (c);

(collectively, the **Notified Conduct**).

A Member may voluntarily participate in the Notified Conduct - no Member will be compelled to participate. Each Member will also be able to negotiate or otherwise deal with OneMusic on an individual basis, if it chooses to do so. The Notified Conduct does not extend to collective boycott conduct activity.

Further information is provided in paragraph 3.2 below, as well as throughout this notification.

3.2 Relevant background

Each Member essentially has to deal with OneMusic if the Member wishes to publicly play music at a live sporting event.

Under the *Copyright Act 1968 (Cth)*, copyright subsists in certain, defined, 'works' and 'other subject matter'. 'Works' include literary works and musical works.¹ Other subject matter in which copyright subsists includes a sound recording.²

The owner of a copyright enjoys a bundle of exclusive rights to do certain acts with the respect to that copyright. For example, the exclusive rights associated with a musical work include:

- the right to perform the work in public; and
- the right to communicate the work to the public.

These rights cover the work as a whole as well as a 'substantial part' of that work.

When a user wishes to publicly play a recording, it will require rights in both musical works and sound recordings. The right to perform a work in public and the right to communicate the work to the public are often bundled together in a single licence.

The Australian Performing Rights Association Limited (**APRA**), Australasian Mechanical Copyright Owners Society Limited (**AMCOS**) and Phonographic Performance Company of Australia Limited (**PPCA**) are copyright collecting societies which have been established under the *Copyright Act 1968 (Cth)*.

APRA and AMCOS formed an alliance in 1997. APRA AMCOS represent over 100,000 members who are songwriters, composers and music publishers.³ APRA AMCOS provides licences to organisations and distributes royalties to its members. APRA is the only collecting society in Australia that provides public performance licenses covering the copyright in the musical works (such as lyrics and composition). A public performance licence from APRA is a blanket licence that covers APRA's entire repertoire.⁴

PPCA is a national not for profit organisation that represents the interests of recording artists and record labels and is the collecting society for the separate copyright that exists in the recording and/or music video of a musical work.⁵ PPCA grants licences for the

¹ Section 10, *Copyright Act 1968 (Cth)*.

² Sections 10, *Copyright Act 1968 (Cth)*.

³ See: <https://www.apraamcos.com.au/about/what-we-do>

⁴ The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 20, paragraph 2.48.

⁵ The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 13, paragraph 2.12.

broadcast, communication or public playing of recorded music, such as CDs, records and digital downloads, or music videos.

In July 2019, a new joint initiative between APRA AMCOS and PCCA was formed to create OneMusic.

In part, OneMusic is conducted via an agency relationship. More specifically, APRA, trading as 'OneMusic Australia' acts as an agent for PCCA in licensing PCCA's public performance rights. APRA licenses its own catalogue directly, and in its own capacity. APRA also has access to the music catalogues of AMCOS, which may also be licensed through OneMusic.⁶

OneMusic therefore provides a centralised means for granting copyright licences to organisations who wish to play, perform, copy, record or make available APRA AMCOS and PCCA members' music, including publicly playing music at a live sporting event.

In the context of a live sporting event, a Member may require two separate copyright licences in order to publicly perform or play music to spectators:

- (a) licences covering the copyright in a musical work, being the lyrics and composition. This licence is available from APRA AMCOS; and
- (b) licences covering the copyright in the recorded version of the musical work, being the sound recording. This licence is available from PCCA.

On 13 July 2020, the ACCC granted APRA a five-year authorisation to continue arrangements for the acquisition and licensing of music performance rights (**2020 Final Determination**). The 2020 Final Determination covered the activities of OneMusic.

Key findings from the 2020 Final Determination include:

- (a) APRA is a 'near monopolist supplier and acquirer of rights to commercially popular musical works in Australia'.⁷
- (b) APRA is able to maximise its profit by engaging in price discrimination across user groups and that different groups are offered different licensing terms and conditions according to their willingness to pay.⁸
- (c) While APRA does not restrict output in the sense that it does not refuse access to its works as a bundled product, the conduct of only supplying an 'all or nothing' bundle is itself a restriction on the form of supply and therefore output.⁹
- (d) For APRA, each licensee (such as a Member) is one of many. However, for many licensees, APRA's blanket licence is a necessary input into their businesses.

⁶ The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 12 paragraph 2.8 - 2.10.

⁷ The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 40, paragraph 4.76.

⁸ The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 40, paragraph 4.76.

⁹ The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 40, paragraph 4.79.

Consequently, because of the importance of music performance to their business, they have little alternative other than to enter into agreements with APRA.¹⁰

- (e) Many licensees have limited, if any, alternatives to APRA's blanket licence.¹¹
- (f) In so far as the introduction of OneMusic (introduced in 2019) is concerned:
 - (i) OneMusic may result in further, significant, public detriments, such as:
 - (A) an increase in licence fees for music;
 - (B) a change in fee calculation, so that pricing is based on capacity, not actual attendance of spectators;¹²
 - (ii) OneMusic may increase the already high barriers to a rival collection society being established;¹³ and
 - (iii) the introduction of OneMusic may increase PPCA's market power.¹⁴

The *Copyright Act 1968* (Cth), makes provision for disputes about the level of APRA's licence fees, and other aspects of APRA's arrangements, to be heard and dealt with by the Copyright Tribunal of Australia to (**Copyright Tribunal**). The Copyright Tribunal is intended to act as a constraint on the exercise of market power by copyright collecting societies, by making decisions with respect to the reasonable terms and conditions of copyright licences, including licence fees.¹⁵ In the 2020 Final Determination, the ACCC noted that businesses are deterred from using the Copyright Tribunal to resolve a dispute with APRA because of the cost and time involved and that the Copyright Tribunal is unlikely to impose any constraint at all on the exercise of market power by APRA.¹⁶

Furthermore, information asymmetry between APRA and music users due to lack of transparency about APRA's licensing arrangements also impacts the extent to which users are able to advocate their cases in the Copyright Tribunal as a constraint on APRA's exercise of market power.¹⁷

In the previous 2014 APRA authorisation (**2014 Final Determination**), the ACCC introduced a revised alternative dispute resolution pathway (**Resolution Pathways**), which required APRA to implement a revised Resolution Pathways scheme managed by an independent facilitator, which was recently re-authorised in the 2020 Final Determination. The Resolution Pathways options are: (i) informal resolution; (ii) mediation; (iii) expert view;

¹⁰ The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 40, paragraph 4.76.

¹¹ The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 40, paragraph 4.76.

¹² The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 45, 47, paragraphs 4.111, 4.115, 4.122 and 4.124.

¹³ The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 47, paragraphs 4.126.

¹⁴ The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 48, paragraphs 4.129.

¹⁵ Australasian Performing Right Association Limited and Australasian Mechanical Copyright Owners Society Limited [2009] ACopyT 2, [30].

¹⁶ The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 57, paragraphs 4.195.

¹⁷ The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 57, paragraphs 4.196.

and (iv) a binding expert decision. The purpose of the Resolution Pathways process is to provide a more affordable and practical way for both members and licensees to resolve disputes with APRA and to provide a further check on APRA's market power.

3.3 Any relevant documents detailing the terms of the notified conduct

Not applicable.

3.4 The rationale for the notified conduct

Fundamentally, the Notified Conduct seeks to, to some extent, redress a substantial imbalance of bargaining power that currently exists between OneMusic, as a near monopolist, and each Member which is seeking to acquire an integral input for its business, from OneMusic.

It is intended that the Notified Conduct will provide some degree of counter weight to OneMusic's substantial market dominance.

It is anticipated that some of the benefits which will flow from the Notified Conduct will include COMPPS:

- (a) being able to obtain music licence rights for its Members on more balanced terms (including licence fees and payment structures);
- (b) being able to negotiate more tailored licence agreements that are fit for purpose across each sport's varied activities (as opposed to having to use a 'one size fits all' licence);
- (c) being able to reduce transaction costs by streamlining the negotiation processes between OneMusic and each Member, rather than OneMusic currently seeking to negotiate music licences with each Member individually and each Member having to negotiate with OneMusic individually;
- (d) absent any licence agreement being concluded, increasing efficiencies resulting from COMPPS being able to utilise the Resolution Pathways or the Copyright Tribunal processes, on behalf of any participating Member;
- (e) reducing information asymmetries between the negotiating parties by facilitating input into terms and conditions from each Member, further promoting the future development of music licences in Australia; and
- (f) improving transparency as to how licence fees are calculated by OneMusic.

3.5 Any time period relevant to the notified conduct

COMPPS is seeking to have the notification in place for the maximum period of 10 years to ensure that negotiations remain efficient and productive for both OneMusic and the Members.

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- 4 Provide documents submitted to the notifying party's board or prepared by or for the notifying party's senior management for purposes of assessing or making a decision in relation to the notified conduct and any minutes or record of the decision made**

Not applicable.

- 5 Provide the names and/or a description of the persons or classes of persons who may be directly impacted by the notified conduct (including targets in collective bargaining or boycott conduct) and detail how or why they might be impacted**

OneMusic (and therefore APRA, AMCOS and PPCA) will be impacted (as set out in section 3.1 above). Collectively, the Notifying Parties will likely have a marginally greater degree of bargaining power, and may be able to achieve better balanced and fit for purpose licence terms and fees, than if they were to negotiate with OneMusic separately.

However, it is also the case that each Member and COMPPS will be highly incentivised to reach a concluded agreement(s) with OneMusic given that publicly playing and performing music at live sporting events are integral inputs into the production of a live sporting event and OneMusic is essentially the only supplier of those rights.

Market information and concentration

- 6 Describe the products and/or services, and the geographic areas, supplied by the notifying parties. Identify all products and services in which two or more parties to the notified conduct overlap (compete with each other) or have a vertical relationship (e.g. supplier-customer)**

As described in section 3.1 above, each Member is a sporting body which is responsible for the long-term development and sustainability of its respective sport in Australia. This fundamentally involves organising, offering and broadcasting live sporting events to the public and administering grassroots participation programs for their respective sports.

The licenses concerning rights to the public playing and performance of music which are offered by OneMusic are integral inputs into the production and operation of a live sporting event.

- 7 Describe the relevant industry or industries. Where relevant, describe the sales process, the supply chains of any products or services involved, and the manufacturing process**

7.1 Relevant industry participants

As described in section 3.1, OneMusic is the intermediary body that supplies bundled performing rights in musical works and sound recording licences to organisations in Australia, including to the Members. APRA, AMCOS and PPCA's members are the content creators or other rights' holders. In turn, OneMusic pays royalties to the music creators or other rights' holders of copyright, whose music is used by each organisation.

There are many participants in Australia who purchase bundled music licenses from OneMusic. In the 2019/2020 financial year, it was estimated that 114,112 business locations across Australia purchased a music licence from OneMusic. The participants that OneMusic supplies its music licences to include:¹⁸

- Adult entertainment
- Caravan and Tourist parks
- Child care services
- Cinemas
- Clubs
- Community Halls
- Community Music Groups
- Dance Schools and Performance Instructors
- Dining
- Dramatic Context
- Eisteddfodau and Competitions
- Events
- Film Screenings
- Fitness, Exercise and Wellbeing
- Functions
- Funeral Directors
- Local, State and Federal Government
- Hotels, Pubs, Tavern, Bars and Casinos
- Karaoke
- Motels, Resorts, Accommodation and Guest Services
- Places of Interest and Amusement
- Recorded Music for Dance Use
- Retail and Service Providers
- Schools

8 In respect of the overlapping products and/or services identified, provide estimated market shares for each of the parties where readily available

APRA has approximately 145,000 licensees (being business which pay APRA a fee to perform in public or communicate musical works).¹⁹ APRA also administers the day to day operations of AMCOS.

In the 2018/2019 financial year, APRA had group revenue (inclusive of AMCOS) of \$471.8 million.²⁰ Based on this figure, COMPPS conservatively estimates that the combined market share of the Members is well under 0.01%.

¹⁸ See: <https://onemusic.com.au/licences/>

¹⁹ The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 9, paragraphs 1.12.

²⁰ The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 10, paragraph 1.16.

9 In assessing a notification, the ACCC takes into account competition faced by the parties to the proposed conduct. Describe the factors that would limit or prevent any ability for the parties involved to raise prices, reduce quality or choice, reduce innovation, or coordinate rather than compete vigorously. For example, describe:

9.1 existing competitors

The Members face, and will continue to face, vigorous competition from each other as well as other sporting organisations operating in Australia. In particular, the Notified Conduct is unlikely to have any material adverse effect on the quality or prices relating to sporting events.

In terms of OneMusic, the 2020 Final Determination expressed the view that APRA/OneMusic was a near monopoly with exclusive rights to members' works.²¹

While potential licensees have an opportunity to negotiate licences with members directly, such as where APRA holds the member's rights on a non-exclusive basis, or with rights' holders who are not members, given that there are so few members or non-members for businesses to directly negotiate licences with, it is the case that there are little, if any, effective competitors to APRA, and therefore OneMusic.

Further:

- (a) as set out in paragraph 3.1 above, a business wanting to publicly play or perform music often requires the business to obtain two separate copyright licences, and so that the business may have to negotiate with at least two separate individual licensors for rights to a single piece of music; and
- (b) OneMusic is a near monopoly buyer and so rights' holders have little commercial incentive to operate independently of OneMusic to deal directly with an individual business.

In essence, a business that wishes to play music has little choice but to deal with APRA and, therefore, OneMusic.

Further, the Resolution Pathways process, first mandated by the ACCC as a condition of the 2014 Final Determination, and reauthorised in the 2020 Final Determination, appears to be providing little effective restraint on OneMusic.

The 2020 Final Determination noted that there is a lack of transparency among licensees about the existence of the Resolution Pathways process, a lack of transparency around how the Resolution Pathways process operates (particularly around the fees involved) and a perception that APRA is able to exert influence over the scheme due to its market power.²²

Steps are presently being taken to deal with these challenges. For example, on 10 November 2021, the ACCC notified APRA that it was not satisfied with its revised fee methodology explanation, as required under Condition C1.2 of the 2020 Final

²¹ The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 40, paragraph 4.76.

²² The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 59, paragraphs 4.208.

Determination.²³ Among other things, the ACCC noted that none of the fee methodology explanations contain a description of the methodologies adopted by APRA to calculate licence fees used to set that rate, nor refer in sufficient detail to the underlying data used in the formulation. Accordingly, the ACCC considered that APRA should proceed to appoint an independent reporter under Condition C5.2 of the 2020 Final Determination.

Further, the 2020 Final Determination noted that, in so far as the Copyright Tribunal was concerned, information asymmetry between APRA and music users due to lack of transparency about APRA's licensing arrangements impacted on the extent to which users are able to advocate their cases in the Copyright Tribunal.²⁴

The current and continued lack of transparency around pricing is also likely undermining the effectiveness of the Resolution Pathways process.

9.2 likely entry by new competitors

In terms of OneMusic, the 2020 Final Determination noted that there is no credible threat of entry by rival major collecting societies in the near to medium term due to high entry barriers in the form of sunk costs in specialised knowledge and systems; economies of scale and scope, and network effects.²⁵

It was also noted that the introduction of OneMusic would only 'increase the already high barriers to a rival collection society being established' in Australia'.²⁶

Further, under the Copyright Act a body may apply to the Minister to be declared as a works collecting society for all relevant copyright owners or for specified classes of relevant copyright owners.²⁷ This is an additional regulatory factor to be taken into account when assessing the height of the barriers to entry faced by potential 'new entrants'.

9.3 any countervailing power of customers and/or suppliers

As noted in paragraph 3 above, OneMusic has a near monopoly in the acquisition and supply of performing rights to music. COMPPS estimates that the Members contribute well under 0.01% to APRA's total annual revenue, being \$471.8 million in the 2018/19 financial year.²⁸ Consequently, there is little countervailing power, including from each Member.

9.4 any other relevant factors

Not applicable.

²³ See: <https://www.accc.gov.au/system/files/public-registers/documents/ACCC%20to%20APRA%20re%20Condition%20C1.2%20-%20ACCC%20not%20satisfied%20with%20Fee%20Methodology%20explanation%20in%20revised%20guides%20-%202010.11.21%20-%20PR%20-%20AA1000433%20APRA.pdf>.

²⁴ The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 57, paragraphs 4.196.

²⁵ The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 36, paragraph 4.58.

²⁶ The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 47, paragraph 4.126.

²⁷ Section 113V and 135ZZT, *Copyright Act 1968* (Cth).

²⁸ The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 10, paragraph 1.16.

Public benefit

10 Describe the benefits to the public that are likely to result from the notified conduct. Provide information, data, documents or other evidence relevant to the ACCC's assessment of the public benefits

The Notified Conduct is likely to result in the following public benefits:

- (a) Transaction cost savings (such as negotiation and contracting costs, including the time taken to negotiate) for each Member and OneMusic, relative to each Member conducting negotiations with OneMusic on an individual basis;
- (b) The transaction costs saving and gains in efficiencies may result in licence agreements being concluded more quickly, which may speed up the financial return to the APRA's, PPCAs and AMCOS' members;
- (c) Better input into licence terms, as collective bargaining may improve the ability of the Notifying Parties to have better input into specific licence agreements than each Member would be able to achieve on its own; and
- (d) Provide clarity and further transparency as to any licence fee methodology adopted by OneMusic.

Public detriment

11 Describe any detriments to the public that are likely to result from the notified conduct, including those likely to result from any lessening of competition. Provide information, data, documents, or other evidence relevant to the ACCC's assessment of the detriments

There is unlikely to be any meaningful public detriment for the reasons set out below:

- (a) participation in the notified conduct is voluntary. The Notifying Parties will be able to choose whether to participate in negotiations, enter into music licence agreements on negotiated terms, and will also be able to negotiate individually with OneMusic if they choose to do so;
- (b) the notified conduct does not include any collective boycott conduct;
- (c) the notification is only on behalf of the Members, who may choose not to participate, and there are many (over 145,000²⁹) other organisations who are potential licensees of music in Australia; and
- (d) each Member will continue to compete and the Notified Conduct is not likely to diminish this competition.

Further, the Members comprise seven of approximately 114,112 businesses licensed by OneMusic, with an approximate market share of well under 0.01%, collectively. OneMusic will still have significant market power in negotiating with the Notifying Parties. As such, it

²⁹ The ACCC's Final Determination for Authorisation numbers A91367-A91375 and the substitution of authorisation AA1000433 (13 July 2020), Page 9, paragraphs 1.12.

is very unlikely that the Notified Conduct will enable the Notifying Parties to artificially depress licence fees below competitive levels.

Contact details of relevant market participants

- 12 Identify and/or provide names and, where possible, contact details (phone number and email address) for likely interested parties, such as actual or potential competitors, customers and suppliers, trade or industry associations and regulators**

OneMusics' details are as follows:

Name: OneMusic Australia
Telephone: 1300 162 162
Email: hello@onemusic.com.au

Any other information

- 13 Provide any other information you consider relevant to the ACCC's assessment of the notified conduct**

Not applicable.

Additional information for collective bargaining conduct only

- 14 Confirm that the notifying party is not a trade union, an officer of a trade union or acting at the direction of a trade union**

None of the Notifying Parties is a trade union, an officer of a trade union or acting at the direction of a trade union.

- 15 Provide details (name, phone number, email address) of the persons who are current members of the group (contracting parties) on whose behalf the notification is lodged. If relevant, identify the classes of persons who may become contracting parties in the future and on whose behalf the notification is lodged**

Name: Australian Football League
Telephone: (03) 9643 1999
Email: legalnotices@afl.com.au

Name: Cricket Australia
Telephone: (03) 9653 9999
Email: integrity@cricket.com.au

Name: Football Australia Limited
Telephone: +61 (2) 8020 4000
Email: reception@footballaustralia.com.au

Name: Australian Rugby League Commission
Telephone: 02 9359 8500
Email: reception@nrl.com.au

Name: Netball Australia Limited
Telephone: 03 8621 8600
Email: infonet@netball.com.au

Name: Rugby Australia Ltd
Telephone: (02) 8005 5555
Email: customer.service@rugby.com.au

Name: Tennis Australia Limited
Telephone: +61 3 9914 4000

Email: Legal@tennis.com.au

Contact persons are listed in section 1.2 above.

- 16 Confirm each contracting party reasonably expects to make one or more contracts with the targets for the supply or acquisition of the relevant goods or services and the value of each contract will not exceed A\$3 million (or any other amount prescribed by regulation) in any 12 month period. Provide details of the basis for that expectation**

COMPPS confirms that it (and each Member) reasonably expects that the value of each licence agreement with OneMusic will not exceed AU\$3 million in any 12 month period.

- 17 If the contracting parties propose to engage in a collective boycott with respect to the targets, provide details of the event/s that would trigger a collective boycott the process that would be followed any proposed notice period to be given to the target/s prior to commencing a collective boycott and any proposed dispute resolution procedure between the contracting parties and the targets**

Not applicable.

Declaration by notifying party

Authorised persons of the notifying party must complete the following declaration.

The undersigned declare that, to the best of their knowledge and belief, the information given in response to questions in this form is true, correct and complete, that complete copies of documents required by this form have been supplied, that all estimates are identified as such and are their best estimates of the underlying facts, and that all the opinions expressed are sincere.

The undersigned are aware that giving false or misleading information is a serious offence and are aware of the provisions of sections 137.1 and 149.1 of the *Criminal Code* (Cth).



Signature of authorised person

Jo Setright

(Print) Name of authorised person

Executive Director, Policy

Office held

This 25 day of November 2021

Note: If the Notifying Party is a corporation, state the position occupied in the corporation by the person signing. If signed by a solicitor on behalf of the Notifying Party, this fact must be stated.