



Our ref: 62186
Contact officer: Anna Pound
Contact phone: (03) 9290 6920

23 Marcus Clarke Street
Canberra ACT 2601

GPO Box 3131
Canberra ACT 2601

tel: (02) 6243 1111

fax: (02) 6243 1199

adjudication@acc.gov.au

www.acc.gov.au

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By email

Dear Sir / Madam

LPO Group Limited applications for authorisation A91583 & A91584 – interested party consultation

The Australian Competition and Consumer Commission (the ACCC) has received applications for authorisation from LPO Group Limited (LPOG), on behalf of itself and its members (the Applicants). The ACCC invites you to comment on the applications. A summary of the authorisation process including how to make a submission to the ACCC can be found here: [summary of the authorisation process](#).

The Applicants are seeking authorisation to enter into and give effect to an arrangement that LPOG represent its members in collective bargaining negotiations with Australia Post. LPOG proposes to negotiate a new agreement with Australia Post or vary the agreements that are currently in place for existing members of LPOG that opt-in to the collective bargaining group and those wishing to do so in the future.

The Applicants will also seek authorisation to engage in a limited collective boycott of Australia Post where the Applicants will agree not to negotiate with Australia Post on an individual basis while collective negotiations are ongoing.

The Applicants submit that the authorisation will result in a number of public benefits including but not limited to increased bargaining power for the Applicants which will result in more efficient outcomes from negotiations with Australia Post, and transaction cost savings compared with those that would be involved if individual Applicants were required to negotiate a new agreement with Australia Post. The Applicants submit that the authorisation will have minimal public detriment.

The Applicants are seeking authorisation for a period of 5 years.

Interim authorisation

The Applicants have requested an urgent interim authorisation to commence as soon as possible, and to continue until a final decision is made by the ACCC on the substantive applications for authorisation. Interim authorisation is sought for the Applicants to commence negotiations with Australia Post, as outlined above.

The ACCC endeavours to deal with requests for interim authorisation quickly. In making an assessment as to whether it is appropriate to grant interim authorisation, the ACCC is not required to undertake a full assessment of the benefit and detriment likely to arise as a result of the proposed conduct.

The ACCC decides whether to grant interim authorisation on a case by case basis. Should an applicant request interim authorisation, the ACCC will usually consider a range of factors, including harm to the applicant and other parties if interim is or is not granted, possible benefit and detriment to the public, the urgency of the matter, and whether the market would

be able to return to substantially its pre-interim state if the ACCC should later deny authorisation.

A full copy of the application for authorisation and interim authorisation is available on the ACCC's website <http://registers.accc.gov.au/content/index.phtml/itemId/278039>

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 and whether interim authorisation should be granted, taking into account the factors set out above.

If you intend to provide a submission in relation to the application for interim authorisation, please do so by **26 May 2017**. If you intend to provide a submission in relation to the substantive applications for authorisation, please do so by **6 June 2017**.

Submissions should be emailed to adjudication@acc.gov.au with the subject 'A91583 & A91584 – LPO Group Limited – submission'.

Submissions, including oral submissions, will be placed on the ACCC's public register subject to any request for exclusion (guidelines are available here: [guidelines for excluding information from the public register](#)).

Timetable

The ACCC will progress its assessment of the interim and substantive applications in a timely manner. An indicative timetable is set out below for your information.

11 May 2017	Lodgement of applications, including request for interim authorisation, and supporting submission.
16 May 2017	Public consultation process begins.
26 May 2017	Closing date for submissions on interim authorisation.
6 June 2017	Closing date for submissions from interested parties on substantive authorisation.
Early June 2017	Decision on interim authorisation.
Late June 2017	Applicant responds to issues raised in the public consultation process.
August 2017	Draft determination on substantive application.
September 2017	Public consultation on draft determination including any conference if called.
October/November 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 applications 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 applications.

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 Anna Pound on (03) 9290 6920, or adjudication@acc.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'L. Camilleri', written in a cursive style.

Lyn Camilleri
Director
Adjudication

Interested Party List

Australia Post

Communications, Electrical and Plumbing Union of Australia
(CEPU) - NSW Postal & Telecommunications Branch

CEPU Tasmanian Branch

Community and Public Sector Union

Communication Workers Union of Australia (CWU) – national

CWU Postal and Telecommunications Branch Victoria

CWU Queensland Branch

CWU SA/NT Branch

CWU Telecommunications & Services NSW

CWU Telecommunications & Services VIC

CWU Western Australia

Department of Communications and the Arts

Department of Finance

Franchise Council of Australia

Minister for Communications and the Arts

Neopost, Francotyp, Framatrac and Pitney Bowes

Post Office Agents Association Ltd

Senate Environment and Communications Committee

Senate Environment and Communications Committee