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14 February 2024

Raynia Theodore  
Principal  
MST Lawyers

By email: [REDACTED]

Dear Ms Theodore

**Bakers Delight – application for authorisation AA1000650 – Request for extension to be granted under section 90(10A)**

I refer to the Australian Competition and Consumer Commission's (the **ACCC**) draft determination released on 14 December 2023 in relation to the above listed application for authorisation lodged by Bakers Delight Holdings Ltd (the **Applicant**).

As you may be aware, the *Competition and Consumer Act 2010* (the **Act**) provides that if the ACCC does not determine an application for authorisation (other than a merger authorisation) within the relevant period, then it is taken to have granted the application at the end of that period. The relevant period is 6 months beginning on the day the ACCC received the application. Accordingly, the ACCC would have until 1 March 2024 to determine the application lodged by the Applicant.

Section 90(10A) of the Act provides that, if before the end of that 6-month period:

- the ACCC has prepared a draft determination under subsection 90A(1) in relation to the application, and
- the ACCC determines in writing that the period is extended by a specified period of not more than 6 months, and
- the applicant agrees to the period being so extended

the relevant period is that period as so extended.

The purpose of this letter is to advise you that in accordance with subsection 90(10A)(b) of the Act, the ACCC has determined that the relevant period for consideration of the application has been extended until 31 March 2024. The ACCC seeks agreement from the Applicant to the relevant period being so extended.

The ACCC considers that an extension is appropriate to provide sufficient time for the ACCC to consult with interested parties, receive submissions from interested parties, allow the Applicant to respond to interested party submissions and for the ACCC to prepare a final determination.

We ask that you please confirm in writing, in response to this letter, that the Applicant agree to the relevant period in relation to application for authorisation AA1000650 being extended to 31 March 2024. I would appreciate receiving the response by no later than **19 February 2024**.

A copy of 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 me on 03 9290 1973 or [lyn.camilleri@acc.gov.au](mailto:lyn.camilleri@acc.gov.au) or Anthony Hilton on (08) 9325 0620 or at [anthony.hilton@acc.gov.au](mailto:anthony.hilton@acc.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'L. Camilleri', is positioned above the typed name.

Lyn Camilleri  
General Manager  
Competition Exemptions