



Our ref: A10000500 - 7-Eleven Stores Pty Limited  
Contact officer: Rebecca Hall  
Contact phone: (07) 3835 4623

23 Marcus Clarke Street  
Canberra ACT 2601  
GPO Box 3131  
Canberra ACT 2601  
tel: (02) 6243 1111  
adjudication@acc.gov.au  
www.acc.gov.au

12/05/2020

Dear Interested Party,

## **7-Eleven Stores Pty Limited application for authorisation AA1000500 - Making a submission**

On 9 April 2020 the Australian Competition and Consumer Commission (the **ACCC**) received an application for authorisation from 7-Eleven Stores Pty Limited (**7-Eleven**).

7-Eleven has applied for authorisation to approach some of its franchisees (Franchisees), and if they agree, to enter into arrangements with those Franchisees to either temporarily close or reduce the trading hours of certain stores. This may include stores operated by its Franchisees, and stores operated by 7-Eleven (or through its sister entity, Convenience Holdings Pty Limited) (corporate-owned stores) (the **Proposed Conduct**).

7-Eleven advised that the purpose of the Proposed Conduct is to assist 7-Eleven and its Franchisees to respond to and endure the COVID-19 pandemic in a cost-efficient manner, while supporting 7-Eleven's customers. It has requested that authorisation be for 6 months from when the ACCC makes its final decision in this matter.

On 24 April 2020, the ACCC granted interim authorisation to allow the parties to commence the Proposed Conduct while the ACCC considers the application for authorisation.

7-Eleven's application for authorisation and supporting submission and the ACCC's interim authorisation decision can be accessed via the public register entry for this matter on the ACCC's website (<https://www.acc.gov.au/public-registers/authorisations-and-notifications-registers/authorisations-register/7-eleven-stores-pty-limited>).

### **Invitation to make a submission**

The ACCC is now conducting a public consultation process on the Proposed Conduct and invites you to make a submission commenting on 7-Eleven's application for authorisation, including

- the likely public benefits and detriments of the conduct the subject of the authorisation
- the appropriate time period for the conduct to be authorised for, and
- whether any conditions should be placed on the authorisation of the conduct.

We request submissions by **Friday 22 May 2020**.

You are welcome to pass this letter on to others who may wish to make submissions.

#### *How to make a submission*

Submissions should be emailed to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) with the subject '7-Eleven - AA1000500 - Submission'.

We recognise that the COVID-19 situation may be causing disruptions to your normal operations. For this reason, we are taking a flexible approach to receiving feedback on the Proposed Conduct. You may wish to contact us by phone to discuss your views or submission before the deadline. If you would like to provide comments orally, please contact Rebecca Hall on (07) 3835 4623 to organise a suitable time.

Submissions, including a record of oral submissions, will be placed on the ACCC's public register on the internet unless you have made a request (with reasons) for us to exclude part or all of the submission from the public register (see [Guidelines for Excluding Information from the Public Register](#) for more information on how to make a request and how we assess requests).

### Timetable

An indicative timetable is below. This timetable is subject to change. The most up to date indicative timetable is available on the ACCC's public register. Please advise us if you require more time to prepare your submission.

<b>9 April 2020</b>	Lodgement of application and supporting submission, including request for interim authorisation.
<b>24 April 2020</b>	Interim decision.
<b>1 May 2020</b>	Public consultation process begins.
<b>22 May 2020</b>	Closing date for submissions on the substantive application for authorisation from interested parties.
<b>June 2020</b>	Applicant responds to issues raised in the public consultation process.
<b>June/July 2020</b>	Draft determination.
<b>July 2020</b>	Public consultation on draft determination including any conference if called.
<b>September 2020</b>	Final determination.

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 Rebecca Hall on (07) 3835 4623.

Yours sincerely,



Susan Philp  
Director  
Adjudication

## **Interested Parties**

- Australian Association of Franchisees
- The Australasian Association of Convenience Stores
- The Australian Small Business and Family Enterprise Ombudsman
- Franchise Advisory Centre
- Franchise Council of Australia
- Franchise Redress
- Levitt Robinson Solicitors on behalf of certain 7-Eleven franchisees
- NSW Small Business Commissioner
- Retail and Fast Food Worker's Union
- Small Business Association of Australia
- 7-Eleven franchisees (20 randomly selected)