



Our ref: AA1000637
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17/03/2023

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Dear Interested Party

Live Performance Australia - Application for authorisation AA1000637 – Interested party consultation

On 7 March 2023, the Australian Competition and Consumer Commission (the **ACCC**) received an application for authorisation from the Australian Entertainment Industry Association (trading as **Live Performance Australia**). This letter is to invite you to comment. You are welcome to pass this letter on to others who may wish to make submissions.

Live Performance Australia is seeking authorisation¹ under the *Competition and Consumer Act 2010* (Cth) on behalf of itself and the live music promoters, arts festival organisers and music festival organisers who are Live Performance Australia members (the **Members**). Authorisation would give it legal protection from competition laws to negotiate, on behalf of the Members, with the Australasian Performing Right Association Limited (APRA), the Phonographic Performance Company of Australia Ltd (PPCA) and OneMusic Australia with respect to the acquisition of copyright licences for music works, sound recordings and music videos in Australia. Negotiations would relate to terms and conditions, including licence fees, of copyright licences. Live Performance Australia is additionally seeking to represent members before the Copyright Tribunal, and in alternative dispute resolution processes, in relation to the acquisition of these licences

Live Performance Australia is seeking authorisation for 10 years. A full copy of the application for authorisation is available on the ACCC's [authorisations public register](#).

Interim authorisation

Live Performance Australia has also requested interim authorisation to allow it to engage in the proposed conduct prior to the ACCC's final determination in relation to the substantive application for authorisation.

Making a submission

The ACCC invites you to make a submission on the application for authorisation. In making your submission, please provide information, evidence and views about the likely public benefits, effects on competition and any other public detriment that you consider will result from the proposed conduct.

¹ For information about Authorisations, please see <https://www.accc.gov.au/business/exemptions/authorisation>

If you intend to provide a submission in relation to the **interim authorisation and substantive application**, please do so by **31 March 2023**. Extensions are not normally granted for submissions on interim authorisation.

If you do however wish to request an extension, please contact us on the details below as early as possible. Submissions after the due date (or after any extension granted) may not be taken into account.

Submissions should be lodged via the web form accessible on the [public register page](#) for this matter. Alternatively, if you would like to provide comments orally, please contact Naomi Lizak via the details at the end of this letter. Your submission **will** be placed on the ACCC's [authorisations 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

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information, and an up-to-date version (including any changes) will be posted on the public register.

Indicative date	Stage in assessment process
7 March 2023	Lodgement of application and supporting submission.
17 March 2023	Public consultation process begins.
31 March 2023	Closing date for submissions from interested parties.
April/May 2023	ACCC decision regarding interim authorisation and draft determination.
May/June 2023	Public consultation on draft determination including any conference if called.
June/July 2023	Final determination.

This letter has been placed on the ACCC's public register. If you have any questions or wish to discuss any aspect of this matter, please do not hesitate to contact Naomi Lizak on (03) 9290 1493 or exemptions@acc.gov.au.

Yours sincerely



Tess Macrae
Director
Competition Exemptions