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Brett Bolton  
Partner  
Hopgood Ganim Lawyers

## Email

Dear Mr Bolton

### **N10000505 – Caravan Trade and Industries Association Queensland – Draft notice proposing to revoke**

The Australian Competition and Consumer Commission (the **ACCC**) has released a draft notice proposing to revoke the exclusive dealing notification lodged by the Caravan Trade and Industries Association Queensland (**Caravanning Queensland**) on 3 October 2019.

#### **Draft Notice**

The ACCC may revoke an exclusive dealing notification where it is satisfied that the conduct has the purpose, effect, or likely effect of substantially lessening competition, and it will not result in likely public benefit which would outweigh the likely public detriment.

Based on the information before it, the ACCC is satisfied that the legal test to revoke the notification is met at this time.

A copy of the Draft Notice is attached.

#### **Next Steps**

Caravanning Queensland or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

#### Submissions on the Draft Notice

If you wish to make a submission in relation to the ACCC's draft notice, please lodge your submission by **10 July 2020**. Submissions should be emailed to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) with the subject "N10000505 – Caravan Trade & Industries Association – submission".

#### Requesting a conference

A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft notice and the notification. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion. If you wish the ACCC to hold a pre-decision conference in relation to the draft notice you must notify the ACCC in writing by **2 July 2020**.

When a conference is requested, the ACCC has an obligation to hold a conference within a time period specified in the Competition and Consumer Act. In this case, if a conference is requested, the ACCC must hold the conference by 2 August 2020. We prefer to hold a conference in a way that enables attendees to attend in person. In the current circumstances, with the spread of covid-19, the need to significantly limit social contact, and travel restrictions, a face to face conference is currently not possible. There may be options for the ACCC to hold a conference via webinar or teleconference. The ACCC can also open a conference and immediately defer the conference to a later date. **If you are considering requesting the ACCC hold a conference please contact us as early as possible to discuss the options for holding a conference before requesting one.**

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then make a final decision on whether to issue a final revocation notice or allow the notification to stand.

Submissions will be placed on the ACCC's [public register](#) subject to any request for exclusion.

### Timetable

The ACCC will continue to progress its assessment of the notification in a timely manner. An updated indicative timetable is set out below for your information.

Indicative date	Stage in assessment process
3 October 2019	Lodgement of notification
17 June 2020	Draft notice
June/July	Public consultation
2 July 2020	Closing date for requesting a pre-decision conference
10 July 2020	Closing date for submissions
August 2020	Expected timing for final decision (although there is no statutory deadline, and this timing may change)

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 Hannah Ransom on (02) 6243 1255 or [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au).

Yours sincerely



David Hatfield  
Director  
Adjudication