



Contact officer: Fiona Cameron
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31 May 2023

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Mr Alan Richardson
Commodity Ag
10 Cecil Street
GNOWANGERUP, WA, 6335

Dear Mr Richardson

Re: ACCC final determination on exemption of Consolidated Ag Pty Ltd as trustee of The Cadalelup Trust trading as Commodity Ag (Commodity Ag) under the Port Terminal Access (Bulk Wheat) Code of Conduct (the Code) in relation to its Albany port terminal facility

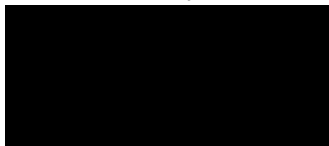
This letter is to formally notify you that the ACCC, under subclause 5(2) of the Code, has determined Commodity Ag to be an exempt service provider of port terminal services provided by means of its port terminal facility at Albany, Western Australia.

The ACCC is required by subparagraph 51AE(1D)(b)(i) of the *Competition and Consumer Act 2010* (Cth) to make exemption determinations under the Code by notifiable instrument if the exemption relates to a particular entity. The notifiable instrument by which Commodity Ag's exemption was made is available on the Federal Register of Legislation (FRL) at <https://www.legislation.gov.au/Details/F2023N00140>. Commodity Ag's exempt service provider status commenced on 31 May 2023, the day after the notifiable instrument was registered on the FRL.

As you are aware, exempt service providers are not required to comply with Parts 3 to 6 of the Code but are still required to comply with Part 2 of the Code. The obligations in Part 2 require Commodity Ag to deal with exporters in good faith, and to publish certain information on its website. This information includes Commodity Ag's port loading statement, policies and procedures for managing demand for port terminal services, standard terms and reference prices.

If you have any queries, please contact Fiona Cameron on (08) 8213 3434.

Yours sincerely



Katie Young
A/g General Manager
Infrastructure & Transport, Access and Pricing Branch