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Mr Antonio Calabrese
Head of Infrastructure Portfolio Management
ICAM
Level 2, 91 King William Street
ADELAIDE, SA, 5000

Dear Mr Calabrese

Re: ACCC final determination on exemption of T-Ports Pty Ltd under the Port Terminal Access (Bulk Wheat) Code of Conduct (the Code) in relation to its Wallaroo port terminal facility

This letter is to formally notify you that the ACCC, under subclause 5(2) of the Code, has determined T-Ports Pty Ltd (T-Ports) to be an exempt service provider of port terminal services provided by means of its port terminal facility at Wallaroo, South 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 T-Ports' exemption was made is available on the Federal Register of Legislation (FRL) at <https://www.legislation.gov.au/Details/F2023N00099>. T-Ports' exempt service provider status commenced on 5 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 T-Ports to deal with exporters in good faith, and to publish certain information on its website. This information includes T-Ports' 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 Katie Young on (03) 9290 6980 or Timothy Ozimec (03) 6215 9306.

Yours sincerely

Matthew Schroder
General Manager
Infrastructure & Transport, Access and Pricing Branch