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Mr Damian Bell  
Executive General Manager  
Wagner Corporation  
1 Airport Drive  
1511 Toowoomba Cecil Plains Road  
WELLCAMP, QUEENSLAND, 4350

Dear Mr Bell

**ACCC final determination on exemption of Wagner Corporation's port terminal facility at Pinkenba under the Port Terminal Access (Bulk Wheat) Code of Conduct (the Code)**

This letter is to formally notify you that the ACCC, under subclause 5(2) of the Code, has determined Wagner Corporation (Wagner Corp) to be an exempt service provider of port terminal services provided by means of its port terminal facility at Pinkenba, Queensland.

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 Wagner Corp's exemption was made is available on the Federal Register of Legislation (FRL) at <https://www.legislation.gov.au/Details/F2022N00304>. Wagner Corp's exempt service provider status commenced on 10 December 2022, 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 Wagner Corp to deal with exporters in good faith, and to publish certain information on its website. This information includes Wagner Corp'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 Warwick Donohoe on (03) 9290 6991 or Scott Sanderson (03) 9658 6527.

Yours sincerely

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