



Our ref: AA1000653
Contact officer: Jack Foley
Contact phone: (07) 3811 9294

23 Marcus Clarke Street
Canberra ACT 2601
GPO Box 3131
Canberra ACT 2601
tel: (02) 6243 1111

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exemptions@acc.gov.au
www.acc.gov.au

Dear Interested Party

Virgin Australia and Air New Zealand application for authorisation AA100653 – interested party consultation

On 17 November 2023, the Australian Competition and Consumer Commission (the **ACCC**) received an application for authorisation from Virgin Australia Airlines Pty Ltd on behalf of itself and its related bodies corporate, Virgin Australia International Airlines Pty Ltd and its related bodies corporate (collectively, **Virgin Australia**) and Air New Zealand Limited (**Air NZ**). This letter is to invite you to comment. You are welcome to pass this letter on to others who may wish to make submissions.

Virgin Australia and Air NZ are seeking authorisation¹ under the *Competition and Consumer Act 2010* (Cth). Authorisation would give it legal protection from competition laws to application for authorisation to make and give effect to a Commercial Framework Agreement, Codeshare Agreement, and various related agreements (the **Proposed Conduct**) in relation to Air NZ's services operated on the trans-Tasman.

Virgin Australia and Air NZ are seeking authorisation for 5 years. A full copy of the application for authorisation is available on the ACCC's [authorisations public register](#).

Interim authorisation

Virgin Australia and Air NZ have requested interim authorisation by mid-February 2024 to allow the necessary planning, discussions and coordination, as well as forward selling of services 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.

If you intend to provide a submission, please do so by **18 December 2023**. If you 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.

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

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 Jack Foley 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](#)).

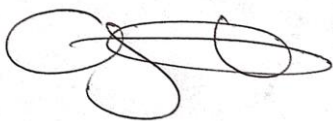
Timetable

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
17 November 2023	Lodgement of application and supporting submission.
27 November 2023	Public consultation process begins.
18 December 2023	Closing date for submissions.
February 2024	Draft determination and interim authorisation decision.
February/March 2024	Public consultation on draft determination including any conference if called.
March 2024	Applicant responds to issues raised in the public consultation process.
April 2024	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 Jack Foley on (07) 38119294 or exemptions@acc.gov.au.

Yours sincerely



Tony Hilton
Director
Competition Exemptions