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Our ref: AA1000615
Contact officer: David Wang
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30 August 2022

Caroline Coops
Partner
King & Wood Mallesons

By email: caroline.coops@au.kwm.com
CC: natalie.stianos@au.kwm.com

Dear Ms Coops

Re: Application for Authorisation AA1000615 - Virgin Australia & Alliance Airlines – Information Request

I refer to the abovementioned application for authorisation lodged with the Australian Competition and Consumer Commission (the **ACCC**) on 27 May 2022 by Virgin Australia Regional Airlines Pty Ltd, Virgin Australia Airlines Pty Ltd (together **Virgin Australia**), Alliance Airlines Pty Ltd and Alliance Aviation Services Ltd (together **Alliance Airlines**) (altogether, the **Applicants**).

To assist with its assessment of this application, the ACCC is seeking further information. The information the ACCC requires is set out in **Attachment A** to this letter.

Please provide this information as soon as possible and in any case by no later than **COB 13 September 2022**. The information may be provided by email to exemptions@accc.gov.au.

Under section 89 of the *Competition and Consumer Act 2010*, the ACCC is able to exclude documents (or parts of documents) from its public register because they are confidential. If you wish to request exclusion from the public register for any documents (or parts of documents) provided in response to the ACCC's request, please clearly indicate this when providing the documents.

Subject to our consideration of any request for exclusion from the public register, a public version of your response to this letter with confidential information redacted will be placed on the ACCC's public register.

A copy of this letter, including **Attachment A**, will also be placed on the public register.

If you wish to discuss any aspect of this matter, please do not hesitate to contact David Wang on (03) 9658 6587 or at david.wang@accc.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'L. Camilleri', written in a cursive style.

Lyn Camilleri
General Manager
Competition Exemptions

Attachment A: ACCC request for further information

Charter opportunities

1. Please provide a list of all charter opportunities that have arisen since 9 June 2017, which fall within the scope of the Charter Alliance Agreement (CAA) for the provision of joint tender and supply of services to corporate customers by the Applicants.
2. For all opportunities listed in response to Q1, please provide the following information:
 - (a) indicate whether the opportunity was:
 - (i) jointly bid for by the Charter Alliance between Virgin Australia and Alliance Airlines
 - (ii) independently bid for by Virgin Australia (if known) and/or Alliance Airlines, and/or
 - (iii) not bid for by either party (if known)
 - (b) in relation to each joint bid or independent bid, indicate whether the bid was:
 - (i) successful
 - (ii) partially successful, or
 - (iii) unsuccessful
 - (c) identify all joint bids (successful or otherwise) for which Alliance Airlines believes it would not have been able to submit a compliant response without the CAA
 - (d) in relation to each independent bid (successful or otherwise), identify:
 - (i) whether Virgin Australia and/or Alliance Airlines declined to participate in a joint bid
 - (ii) the factors and circumstances that Alliance Airlines considered when deciding whether Alliance Airlines would submit an independent bid instead of a joint bid pursuant to the CAA
 - (iii) whether the benefits of the CAA were referenced as part of making the independent bid, for example, the availability of value-added services, or additional capacity support
 - (e) in relation to opportunities successfully won through a joint bid, explain (with reference to any known competitors for those contracts) the significance of the CAA in successfully obtaining that contract
 - (f) in relation to opportunities successfully won by Alliance Airlines through an independent bid, indicate (and explain where applicable) whether the bid was strengthened because of the availability of value-added services, additional capacity support, or an integrated charter/RPT offering pursuant to the CAA,
 - (g) in relation to opportunities where Virgin Australia and Alliance Airlines jointly bid under the CAA but were not successful, explain whether Alliance believes the likely outcome of those tenders would be different if Alliance had bid independently and why.

Anticipated charter opportunities

3. Please identify any anticipated tender or other supply opportunity for which Alliance Airlines believes it would not be able to submit a compliant response without the CAA, for example, because the opportunity may include an RPT component or if the customer specifically requested value-added services such as access to lounge services or a loyalty program.