

**From:** [Hatfield, David](#)  
**To:** [Louise Klamka](#); [REDACTED]  
**Cc:** [Hobbs, Tanya](#); [Pound, Anna](#); [Rebecca Dollisson](#); [Sofia Evans](#); [REDACTED];  
[REDACTED]; [Ng, Andrew](#); [Saponaro, Marcello](#)  
**Subject:** RE: Virgin/Alliance application for authorisation - request for further information [SEC=OFFICIAL]  
**Date:** Thursday, 23 March 2023 11:56:55 AM

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## OFFICIAL

Dear Louise and Caroline,

I refer to the supplementary submission dated 10 March 2023 in relation to the Applicants' joint proposal for conditional authorisation in the event that the ACCC is ultimately not satisfied that the authorisation test is met in this matter. The ACCC will provide interested parties with a brief opportunity to comment on this proposal and will provide you with any submissions we receive. Although I note that any further comment the Applicants may wish to make would have to be provided quickly for the ACCC to be able to take them into account.

Having reviewed the supplementary submission, we request the following additional information from the parties:

1. Please provide a list of all contracts with customers that will (or likely will) be in place under the Charter Alliance Agreement, as of 24 May 2023, and include for each contract the following:
  - (a) the identity of the customer(s)
  - (b) the terms of the contract (including the date of commencement and expiry, and any options to renew)
  - (c) the operating airline for the contract, and
  - (d) an explanation of the significance (if any) of the CAA in providing a continuous service to the customer for the duration of the term of the contract (including any options to renew), including with reference to the specific conduct, or aspects of the conduct, for which authorisation is sought, that the authorisation applicants propose they will engage in under their proposal for conditional authorisation.
  
2. In their joint submission dated 27 January 2017 at paragraph 6.1, the Applicants advised the ACCC that they could unwind the Charter Alliance arrangements within a 6 month period and that neither VARA nor Alliance Airlines would face material hurdles in re-establishing a separate operation at the end of the authorisation term – should the Charter Alliance not continue. Please advise whether there have been any changes in circumstances since that submission that would change that advice, and provide any further information or submissions the ACCC should consider in assessing this matter.

Please provide this information by **30 March 2023**.

This email will be placed on the public register for this matter.

Regards

David

**David Hatfield**  
Director | Competition Exemptions |  
**Australian Competition & Consumer Commission**  
<http://www.accc.gov.au>  
T:02 6243 1266



The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.