



Our ref: AA1000617
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27 June 2022

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Dear Interested Parties,

Transport Workers' Union of Australia SA/NT Branch application for authorisation AA1000617 – interested party consultation

On 21 June 2022, the Australian Competition and Consumer Commission (the **ACCC**) received an application for authorisation from the Transport Workers' Union of Australia SA/NT Branch (**TWU**) on behalf of its owner-driver members. This letter is to invite you to comment. You are welcome to pass this letter on to others who may wish to make submissions.

TWU is seeking authorisation¹ under the *Competition and Consumer Act 2010* (Cth). Authorisation would give owner-drivers legal protection from competition laws to bargain collectively with Toll Priority, with the assistance of the TWU, for the purpose of establishing new contractual arrangements for the supply of freight courier services. The applicants are seeking authorisation for a period of 5 years. The ACCC previously granted authorisation A91514 to the TWU for similar conduct for three years on 4 February 2016.

A full copy of the application for authorisation is available on the ACCC's [authorisations public register](#).

Interim authorisation

TWU has also requested interim authorisation to allow it and its owner-driver members to engage in the conduct while the ACCC considers the substantive application.

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 in relation to the either the request for interim authorisation or the substantive application, please do so by **18 July 2022**. 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.

Please use the coversheet that accompanied this letter and email your submission to exemptions@acc.gov.au, with the subject 'AA1000617 – Transport Workers' Union of

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

Australia SA/NT Branch – submission. 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
21 June 2022	Lodgement of application and supporting submission.
27 June 2022	Public consultation process begins.
18 July 2022	Closing date for submissions.
July 2022	Applicant responds to issues raised in the public consultation process.
August 2022	ACCC decision regarding interim authorisation and draft determination.
August 2022	Public consultation on draft determination including any conference if called.
September 2022	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) 3811 9294 or exemptions@acc.gov.au.

Yours sincerely



Darrell Channing
Director
Competition Exemptions

Interested Party List

- DHL
- FedEx
- StarTrack
- Toll Transport Pty Ltd
- Self-Employed Australia
- Freight and Trade Alliance
- Small Business Commissioner of South Australia
- Business SA