5/08/2020

By email

Dear Madam or Sir

The Minerals Council of Australia – application for authorisation AA1000504 – draft determination

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by the Minerals Council of Australia, Queensland Resources Council, the NSW Minerals Council, the SA Chamber of Mines and Energy, the Chamber of Mines and Energy of WA, the Tasmanian Minerals, Manufacturing and Energy Council, the Association of Mining and Exploration Companies, and the Australian Aluminium Council on 23 April 2020.

For the reasons set out in its draft determination, the ACCC proposes to grant conditional authorisation until 30 June 2021.

A copy of the ACCC’s draft determination is attached to this letter and is available on the ACCC’s authorisations public register.

Next steps

Once the ACCC issues a draft determination, the applicant or any interested party may make a written submission and/or request that the ACCC convene a ‘pre-decision conference’.

Making a submission

If you wish to make a submission in response to the ACCC’s draft determination, please lodge your submission by 20 August 2020. Submissions should be emailed to adjudication@accc.gov.au with the subject “AA1000504 – Interest Party – submission”. If you prefer to make an oral submission, please contact Emma Stiles via the details at the end of this letter.

The ACCC will consider any submissions it receives, including any oral submissions made at a pre-decision conference (should one be called - see below), and will then release a final determination in relation to the application.

Submissions will be placed on the ACCC’s public register subject to any request for exclusion. Please see the ACCC’s publication Guidelines for excluding information from the public register.

Optional pre-decision conference

In some cases the applicant or an interested party requests that the ACCC convene a pre-decision conference in relation to its draft determination. If a conference is called it will be open to the applicant and interested parties to attend and make oral submissions in relation
to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by 20 August 2020 by email to adjudication@accc.gov.au.

**Timetable**

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out on the ACCC’s authorisations public register and is set out below for your information.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>23 April 2020</td>
<td>Lodgement of application and supporting submission, including request for interim authorisation.</td>
</tr>
<tr>
<td>24 April 2020</td>
<td>Interim decision.</td>
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<tr>
<td>1 May 2020</td>
<td>Public consultation process begins.</td>
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<tr>
<td>22 May 2020</td>
<td>Closing date for submissions on the substantive application for authorisation from interested parties.</td>
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<tr>
<td>5 August 2020</td>
<td>Draft determination.</td>
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<tr>
<td>20 August 2020</td>
<td>Closing date for submissions on the draft determination.</td>
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<tr>
<td>August/September</td>
<td>Conference, if called.</td>
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<tr>
<td>September</td>
<td>Final Determination.</td>
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This letter has been placed on the ACCC’s public register. If you wish to discuss any aspect of this matter please do not hesitate to contact Emma Stiles on 02 9102 4036.

Yours sincerely

Susan Philp
Director
Adjudication
Interested Parties

- 3M Australia
- Australian Transit Group
- Campbell Transport
- Department for Energy and Mining (SA)
- Department of Industry, Science, Energy and Resources (Cth)
- Department of Jobs, Precincts & Regions (Resources Branch) (Vic)
- Department of Mines, Industry Regulation & Safety (WA)
- Department of Natural Resources, Mines & Energy (QLD)
- Department of Planning, Industry and Environment (NSW)
- Department of Primary Industry & Resources (NT)
- Department of State Growth (Tas)
- Global Trade Logistics
- Hampton
- Industrial Workwear & Safety
- Maxisafe
- MSA Safety
- Orica
- Origin Energy
- Ranger
- Road Trains of Australia
- Seton Australia
- Total Lifting & Rigging Pty Ltd
- Uvex
- Wesfarmers