



Our ref: AA100608
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By email

Dear Interested Party

Virgin Australia application for authorisation AA1000608 – final determination

The ACCC has issued a determination in respect of the application for authorisation lodged by Virgin Australia on behalf of itself and Partner Carriers on 14 April 2022.

For the reasons set out in its determination, the ACCC has decided to grant authorisation for 5 years for Virgin Australia to make and give effect to codeshare agreements with Partner Carriers which contain pricing provisions that may otherwise trigger the prohibition in the *Competition and Consumer Act 2010* against resale price maintenance.

A copy of the ACCC's determination is attached and also available on the ACCC's [public register](#).

Application for review

Pursuant to section 101 of the *Competition and Consumer Act 2010* (Cth), a person dissatisfied with this determination may apply to the Australian Competition Tribunal for a review. An application for review must be made within 21 days of the date of this determination; that is, on or before 29 September 2022. If no application to review is lodged by this date, the ACCC's determination will come into effect on 30 September 2022.

An application for review of the ACCC's determination should be lodged directly with the Australian Competition Tribunal. The Australian Competition Tribunal is a separate body from the ACCC and is located within the Federal Court of Australia.

For further information about the process involved in reviewing decisions in the Australian Competition Tribunal please refer to the tribunal's website at <http://www.competitiontribunal.gov.au/>.

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 Connie Wu on (08) 9325 0637 or via email exemptions@acc.gov.au.

Yours sincerely

Tony Hilton
Director
Competition Exemptions