



Our ref: AA1000541  
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## By email

Dear Sir/Madam

### **Dalrymple Bay Coal Terminal Access Holders and Access Seekers Collective Negotiation and Collective Arbitration with Dalrymple Bay Infrastructure Management Limited - Application for authorisation AA1000541 – Determination**

The Australian Competition and Consumer Commission (the **ACCC**) has issued a determination in respect of an application for authorisation lodged by 13 coal miners who are current access holders and current access seekers of the Dalrymple Bay Coal Terminal (the **Terminal**) (together, the **Applicants**) to collectively negotiate and collectively arbitrate the terms and conditions of access to the Terminal with Dalrymple Bay Infrastructure Management Limited (**DBIM**), lodged on 20 December 2020.

A copy of the ACCC's determination, including a summary of its reasons, is attached and available on the [ACCC's Public Register](#). For the reasons set out in its determination, the ACCC has decided to grant authorisation with a reporting condition, until 30 June 2031.

### **Application for review**

Pursuant to section 101 of the *Competition and Consumer Act 2010 Act* (Cth), a person dissatisfied with this determination may apply to the Australian Competition Tribunal for its review. An application for review must be made within 21 days of the date of this determination; that is, on or before 8 July 2021. If no application for review is lodged by this date, the ACCC's determination will come into force on 9 July 2021.

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 located 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 Simon Bell on 02 6243 1232.

Yours sincerely

David Hatfield  
Director  
Competition Exemptions