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Our ref: AA1000615
Contact officer: David Wang
Contact phone: (03) 9658 6587

30 September 2022

Rosemary Ray
Category Lead
Newmont Australia

By email: [REDACTED]

CC: [REDACTED]

Dear Ms Ray

Re: Application for Authorisation AA1000615 - Virgin Australia & Alliance Airlines – Information Request

I refer to the abovementioned application for authorisation lodged with the Australian Competition and Consumer Commission (the **ACCC**) on 27 May 2022 by Virgin Australia Regional Airlines Pty Ltd, Virgin Australia Airlines Pty Ltd (together **Virgin Australia**), Alliance Airlines Pty Ltd and Alliance Aviation Services Ltd (together **Alliance Airlines**) (altogether, the **Applicants**).

To assist with its assessment of this application, the ACCC is seeking further information. The information the ACCC requires is set out in **Attachment A** to this letter.

Please provide this information as soon as possible and in any case by no later than **12pm on Friday 7 October 2022**. The information may be provided by email to exemptions@accc.gov.au.

Under section 89 of the *Competition and Consumer Act 2010*, the ACCC is able to exclude documents (or parts of documents) from its public register because they are confidential. If you wish to request exclusion from the public register for any documents (or parts of documents) provided in response to the ACCC's request, please clearly indicate this when providing the documents.

Subject to our consideration of any request for exclusion from the public register, a public version of your response to this letter with confidential information redacted will be placed on the ACCC's public register.

A copy of this letter, including **Attachment A**, will also be placed on the public register.

If you wish to discuss any aspect of this matter, please do not hesitate to contact David Wang on (03) 9658 6587 or at david.wang@acc.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'BM', with a long horizontal stroke extending to the right.

Bruce Mikkelsen
Acting General Manager
Competition Exemptions

Attachment A: ACCC request for further information

Competitive structure

1. Please explain the competitive impact (if any) of the Charter Alliance between Virgin Australia and Alliance Airlines (CA) on Newmont's fly-in fly-out (FIFO) service provider options.

Tender processes

2. In relation to all tender processes carried out by Newmont for FIFO services since 9 June 2017, which have drawn a bid from Virgin Australia and/or Alliance Airlines under the CA, please outline the main factors that led to Newmont deciding to award (or to not award) the contract to Virgin Australia and/or Alliance Airlines, including the role the CA had in Newmont deciding this outcome.
3. In relation to all (partially or fully) successful bids made by Virgin Australia and Alliance Airlines under the CA for tenders carried out by Newmont since 9 July 2017, please indicate whether the outcome would have been different if the parties had chosen to bid independently, instead of jointly under the CA, and outline why.

Public benefits

4. In relation to each of the following public benefit claims made by the Applicants in the Application¹, please indicate the significance of each benefit (if any) to Newmont in deciding whether to award a contract for the provision of FIFO services, and indicate whether (or not) each benefit has been realised under the CA (for applicable contract(s)):
 - (a) the availability for an integrated offering of charter and/or regular passenger transport services with a single provider (or alliance)
 - (b) improved connections between T1 to T2 at Perth Airport, reducing connection time for FIFO passengers
 - (c) access to the Velocity Frequent Flyer program and Virgin Australia's airport lounges on Alliance services,
 - (d) access to a complementary fleet of aircraft, with diverse seating capacity, and national footprint.
5. In relation to any unsuccessful bid(s) made by the CA (if any) for tenders carried out by Newmont, please indicate whether the CA was able to provide a level of competitive constraint on other providers (in particular those that were ultimately successful), and whether this would be different if each party had decided to bid independently.

¹ See pages 21-24 of the [Application for Authorisation](#) AA1000615 dated 27 May 2022.