



Australian Competition & Consumer Commission

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Our Ref: C2004/436

26 May 2004

Dear

Applications for Authorisation lodged by the Department of Industry, Tourism and Resources relating to the preferential/exclusive treatment of accredited tourism businesses (A90912 and A90913)

I refer to my letter dated 31 March 2004 advising that the Australian Competition and Consumer Commission (the Commission) has received applications for authorisation lodged by the Department of Industry, Tourism and Resources (ITR) relating to 'preferential' and/or 'exclusive' treatment of accredited tourism businesses. The Commission requested your comments on the public benefits and detriments of the proposed conduct.

Broadly, the applications relate to a scheme in which the State and Territory Organisations (STOs)¹ and the Australian Tourism Commission (ATC) will provide tourism businesses with exclusive or preferential access to a range of their services on condition that the business is accredited under a program endorsed by the Australian Tourism Accreditation Association (ATAA).

On 24 May 2004 the Commission received a request from ITR that the Commission delay its consultation process in relation to the above applications. ITR informed the Commission that it has become aware of industry concerns in relation to the applications and that it is currently drafting amendments to the proposed conduct.

Specifically, ITR proposes to better define what is meant by preferential access to the services of STOs and the ATC. It also intends to remove any reference to exclusive access from its submission. In addition, ITR considers that a delay in the Commission's consultation process would allow stakeholders to take into account the design of the new tourism accreditation framework, which is due to be finalised by July 2004.

¹ The STOs are Tourism Victoria, Tourism Tasmania, the South Australian Tourism Commission, the Northern Territory Tourist Commission, the Western Australian Tourism Commission and Australian Capital Tourism



The Commission will re-consult you and other interested parties when ITR has provided its amended submission. Please let us know if you **do not wish to be informed** when the Commission recommences interested party consultations by contacting Michael Green on (02) 6243 1088 or by email at michael.green@accc.gov.au .

A copy of this letter will be placed on the Commission's public register. The Commission appreciates your continuing assistance in relation to these applications.

Yours sincerely

Tim Grimwade
General Manager
Adjudication Branch

Title	First Name	Surname	Job Title	Company	Address
Mr	Jeff	Floyd	Chief Executive Officer	AAA Tourism	3/131 Queen St Melbourne VIC 3000
Ms	Lois	Peeler	Chairperson	Aboriginal Tourism Australia	PO Box 18315 Collins Street East Melbourne VIC 8003
Mr	Phillip	Shipton		AusEmade Pty Ltd	PO Box A2126 Sydney South NSW 1235
Ms	Margaret	Lyons	Corporate Services Director	Austrade	The R G Casey Building John McEwan Crescent Barton ACT 2600
Mr	Brian	Nye	Chief Executive Officer	Australasian Railway Association	PO Box 4864 Kingston ACT 2604
Mr	Michael	Cannon	Executive Director	Australian Association of Convention Bureaux	Level 13/80 William Street Woolloomooloo NSW 2011
Mr	Glenn	Buckingham	Chief Executive	Australasian Business Travel Association	PO Box 812 Rockdale NSW 2216
		Sir/Madam		Australian Camping Association	Locked Bag 2000 Coburg VIC 3058
Mr	Peter	Hendy	Chief Executive	Australian Chamber of Commerce and Industry	PO Box E14 Kingston ACT 2604
Mr	Mike	Hatton	Chief Executive	Australian Federation of Travel Agents Limited	Level 3, 309 Pitt Street Sydney NSW 2000
Mr	Tony	Brown	Director	Australian Capital Territory Consumer Affairs Bureau	GPO Box 158 CANBERRA ACT 2601
Mr	Chris	Field	Chair	Australian Consumers Association	57 Carrington Road MARRICKVILLE NSW 2204
Mr	Alan	Graham	Executive Officer	Australian Council of National Trusts	PO Box 1002 Civic Square ACT 2612

Title	First Name	Surname	Job Title	Company	Address
		Sir/Madam		Australian Explorer Pty Ltd	PO Box 1172 Southport BC QLD 4215
Mr	David	Elliott	National Affairs Officer	Australian Hotels Association	Level 5, 8 Quay Street SYDNEY NSW 2000
		Sir/Madam		Australian Online Travel	PO Box 404 Camperdown NSW 2050
Ms	Clíodhna	Rae	Federal Secretary	Australian Institute of Travel and Tourism	PO Box 2297U Melbourne VIC 3001
Mr	Tom	Phillips	President	Australian Institute of Tourism Officers	PO Box 178, Civic Square Post Office Canberra ACT 2601
Mr	Laurie	O'Meara	President	Australian Tourism Accreditation Association Ltd	c/- Emerald Hotel 24 Mount Street PERTH WA 6000
Mr	Peter	Shelley	Managing Director	Australian Tourism Export Council	Level 2/80 William St Woolloomooloo NSW 2011
		Sir/Madam		Australian Regional Tourism Network	C/- Centre for Regional Tourism Research School of Tourism and Hospitality Management Southern Cross University PO Box 157 LISMORE NSW 2480
		Sir/Madam		Australian Travel Marketing	Suite 1804, Tower 2, Westfield Plaza 500 Oxford Street Bondi Junction NSW 2022
Mr	Peter	Cook / Mr Jim Lewis	Interim Joint Chairs	Bed and Breakfast and Farmstay Australia	PO Box 538 St Leonards NSW 1590
Ms	Audrey	Murton	Manager	Brochure Flow International	Unit 7, 2-4 Dunlop St

Title	First Name	Surname	Job Title	Company	Address
					Strathfield South NSW 2136
Ms	Joanne	Prior	Chief Executive Officer	Camping Association of Victoria	Locked Bag 2000 Coburg VIC 3058
Mr	Ben	Yates	Executive Officer	Caravan Industry Australia	64 Harcourt St North Melbourne VIC 3051
Mr	Mike	Harris	Acting Chief Executive	Chief Minister's Department	GPO Box 158 Canberra ACT 2601
Dr	David	Cousins	Director	Consumer Affairs Victoria	GPO Box 123A MELBOURNE VIC 3001
Ms	Carolyn	Bond	Chair	Consumers' Federation of Australia	C/-1 st Floor, 11-19 Bank Place MELBOURNE VIC 3000
Ms	Cliodhna	Rae	Managing Director	CRC Travel Jobs	26 Cambridge St Collingwood VIC 3066
Prof	Terry	De Lacy	Chief Executive	Sustainable Tourism CRC	PMB 50 Gold Coast MC QLD 9726
Mr	Peter	Bailey	Chairman	Council of Australian Tour Operators	Level 3, 309 Pitt Street Sydney NSW 2000
Mr	Mike	Potter	Chief Executive Officer	Council of Small Business Organisations of Australia Ltd	PO Box E445 Kingston ACT 2604
Mr	Tom	Smith	Chairman	Country Victoria Tourism Council	PO Box 18136 Collins St East Melbourne VIC 8003
Mr	Patrick	Walker	Executive Director, Consumer Protection	Department of Consumer and Employment Protection	Locked Bag 14 CLOISTER SQUARE WA 6850
Mr	Paul	Tyrrell	Chief Executive	Department of the Chief Minister	GPO Box 4396 Darwin NT 0801
Mr	Mal	Wauchope	Director General	Department of the Premier and Cabinet	197 St George's Terrace Perth WA 6000
Mr	Warren	McCann	Chief Executive	Department of Premier and	GPO Box 2343 Adelaide SA

Title	First Name	Surname	Job Title	Company	Address
				Cabinet	5001
Mr	Terry	Moran	Secretary	Department of the Premier and Cabinet	1 Treasury Place Melbourne VIC 3002
Mr	Philip	Foulston	Director	Department of the Premier and Cabinet	GPO Box 123 Hobart TAS
Dr	Leo	Keliher	Director-General	Department of the Premier and Cabinet	PO Box 185 Brisbane QLD 4002
Ms	Jenny	Goddard	Deputy Secretary	Department of Prime Minister and Cabinet	3- 5 National Circuit BARTON ACT 2600
Dr	Ken	Henry	Secretary	Department of the Treasury	Langton Crescent PARKES ACT 2600
Ms	Clare	McFarlane	President	Ecotourism Association of Australia	GPO Box 268 Brisbane QLD 4001
Ms	Camille	Bradsmith	President	Events Industry Association (WA)	PO Box 3132 Myaree WA 6154
Ms	Carrie	Elton	Executive Director	Exhibition and Event Association of Australasia	P O Box 751 Rozelle NSW 2039
Mr	Shane	Flynn	Chief Executive Officer	Flight Centre	Level 11, 157 Ann Street Brisbane QLD 400
Mr	Brian	Bowater		Great Aussie Holidays	P.O. Box 835 Cloverdale WA 6985
Ms	Cathy	Parsons	Chief Executive Officer	Green Globe Asia Pacific Pty Ltd	GPO Box 371 Canberra ACT 2612
Mr	Barry	Mayo	Managing Director	Harvey World Travel	631 Princes Highway Kogarah NSW 2217
Mr	Dennis	Winchester	Chief Executive Officer	Hotel Motel and Accommodation Association	Level 3, 551 Pacific Highway St Leonards NSW 2065
Mr	Malcolm	Campbell	General Manager	Horizon Airlines Pty Ltd	PO Box CP311 Condell Park NSW 2200
Mr	Clive	Jimmieson	General	Jasons Travel	46 Edward Street

Title	First Name	Surname	Job Title	Company	Address
			Manager Australia	Media Pty Ltd	Brisbane QLD 4001
Ms	Kate	Kirkhope	Managing Director	Kiltynane Estate Pty Ltd	PO Box 44 Yarra Glen VIC 3775
Ms	Jenny	Lambert	Chief Executive Officer	Meetings Industry Association of Australia	PO Box 1477 Neutral Bay NSW 2089
Ms	Meredith	Hinchliffe	Executive Officer	Museums Australia	PO Box 266 Civic Square ACT 2608
Ms	Nicole	Sheridan	Executive Officer	National Tourism Alliance	Level 3, 309 Pitt Street Sydney NSW 2000
Mr	David	O'Connor		New South Wales Department of Fair Trading	PO Box 972 PARRAMATTA NSW 2124
Dr	Col	Gellatly	Director General	NSW Premier's Department	GPO Box 5341 Sydney NSW 2001
Ms	Penni	Tatsula	Managing Director	Northern Gateway Pty Ltd	PO Box 2541 Darwin NT 0801
Ms	Cheryl	Kuhn	Chair	Northern Territory Office of Consumer Affairs	PO Box 39717 Winnellie NT 0821
		Sir/Madam		Online Travel Corporation	P.O. Box 772 Sydney NSW 2001
Ms	Libby	Small		Outdoor Tour Operators Association	PO Box Q984 Sydney NSW 1230
Mr	Arthur	Crichton	President	Outdoor Recreation Industry Council of NSW	PO Box 634 Wahroonga NSW 2076
Mrs	Anne	Bottomley		Professional Tour Guide Association of Australia	PO Box 34 Armadale VIC 3143
Mr	Brett	Johnson	General Counsel	Qantas Airways Limited	203 Coward Street MASCOT NSW 2020
Mr	Matt	Miller	Commissioner	Queensland	PO Box 3111

Title	First Name	Surname	Job Title	Company	Address
				Office of Fair Trading	BRISBANE QLD 4001
Mr	Daniel	Gschwind	Chief Executive	Queensland Tourism Industry Council	PO Box 13162 Brisbane QLD 4003
Mr	Robbie	O'Rourke	Associate Publisher (Travel and Hospitality)	Reed Business Information	Locked Bag 2999 Chatswood DC NSW 2067
Mr	Bob	Mason	Chief Executive Officer	Regional Aviation Association Australia	PO Box 4242 Kingston ACT 2604
Mr	Michael	Jones	Chief Executive Officer	Regional Express Airlines	PO Box 807 Mascot NSW 1460
Mr	John	Hart	Chief Executive Officer	Restaurant and Catering Australia	Suite 32, 401 Pacific Highway Artarmon NSW 2064
Mr	Russell	Boswell	President	Savannah Guides Limited	PO Box 8043 Cairns QLD 4870
Mr	Scott	Henderson	Chief Executive Officer	Skywest Airlines	PO Box 176 Cloverdale WA 6985
Ms	Sue	Smith	Managing Director	STA Travel	Sydney Glasshouse Shopping Centre 135 King Street Sydney NSW 2000
Mr	Ross	Wraight	Chief Executive	Standards Australia	GPO Box 5420 Sydney NSW 2001
Ms	Judy	Hughes	Deputy Commissioner, Policy and Legal	South Australia Office of Consumer and Business Affairs	GPO Box 1719 ADELAIDE SA 5001
Mr	Max	Moore-Wilton	Chief Executive Officer	Sydney Airports Corporation Limited	PO Box 63 Mascot NSW 1460
Mr	Ray	Ormerod	Director Consumer Affairs and Fair Trading	Tasmania Office of Consumer Affairs and Trading	GPO Box 1244 HOBART TAS 7001
		Sir/Madam		Tas Vacations	First Floor, 11 -

Title	First Name	Surname	Job Title	Company	Address
					17 Argyle Street Hobart TAS 7000
		Sir/Madam		Tourism Accreditation Board of Victoria	Level 5, 315 Flinders Lane Melbourne VIC 3000
Mr	Tony	Thirlwell	Chief Executive Officer and General Manager	Tourism New South Wales	GPO Box 7050 Sydney NSW 2001
Ms	Peter	O'Reilly	Principal Advisor, Sustainable Tourism	Tourism Queensland	GPO Box 328 Brisbane QLD 4001
Ms	Olivia	Jenkins		TTF Australia	Level 10, 100 William Street Sydney NSW 2011
Mr	Vincent	Borg	Chief Executive Officer	Tourist Australia Online	PO Box 959 Rockdale NSW 2216
Ms	Carole	Murphy		Travelsearch Australasia Pty Ltd	PO Box 104 Lindfield NSW 2070
Mr	Mike	Thompson	General Manager	Travelscene Limited	Level 3, 122 Walker Street North Sydney NSW 2060
Mr	Trevor	Hennigan		TravelScene International	PO Box 5105 Alberton SA 5014
Mr	Bill	Gair	Chief Executive Officer	travel.com.au	76-80 Clarence Street Sydney NSW 2000
Mr	Barry	Hickman	President	Trout Guides and Lodges Tasmania	C/-Tasmanian Fly Fishing Trout Guiding Service & School 53 Beefeater Street Deloraine TAS 7304
Mr	Simon	Von Saldern	Chief Executive	Victorian Tourism Operators Association	PO Box 18136 Collins Street West Melbourne VIC

Title	First Name	Surname	Job Title	Company	Address
					8003
Mr	Brett	Godfrey	Chief Executive Officer	Virgin Blue	PO Box 1034 Spring Hill QLD 4001
Mr	Steven	Strachen	Chief Executive	Winemakers' Federation of Australia	PO Box 2414 Kent Town SA 5071
Ms	Kate	Davidson	National Executive Director	YHA Australia	Suite 2, Level 3 10 Mallet Street Camperdown NSW 2050
Mr	Phil	Baker	Managing Director	Adelaide Airport	1 James Schofield Drive Adelaide Airport SA 5950
Mr	Koen	Rooijmans	Managing Director and Chief Executive Officer	Brisbane Airport Corporation Ltd	PO Box 61 Hamilton Central QLD 4007
Mr	Stephen	Byron	Managing Director	Canberra International Airport	2 Brindabella Circuit Canberra Airport ACT 2609
Mr	Robert	Noga	General Counsel	Hobart Airport	PO Box 1 Cambridge TAS 7170
Dr	Warren	Mundy	Manager Strategy	Melbourne Airport	Locked Bag 16 Gladstone Park VIC 3043
Mr	Ian	Kew	General Manager	Northern Territory Airports Pty	PO Box 40996 Casuarina NT 0811
Ms	Catherine	Rule	Chief Executive Officer	Australian Airports (Townsville) Pty Limited	PO Box 7636 Garbut QLD 4814
Mr	Graham	Muir	Chief Executive Officer	Westralia Airports Corporation	PO Box 6 Cloverdale WA 6985
Mr	George	Wright	Policy Coordinator	Australian Council of Trade Unions	Level 2 393 Swanston Street Melbourne VIC 3000
Mr	Paul	Slape	National Secretary	Australian Services Union	Ground Floor 116 Queensberry Street Carlton South

Title	First Name	Surname	Job Title	Company	Address
					VIC 3053
Mr	Ayman	Guirgius	Partner	Blake Dawson Waldron	GPO Box 4958 WW Melbourne VIC 3001
Mr	Garth	Foxwell	Principal	A Day Outdoors Touring Pty Ltd	PO Box 41 Doreen VIC 3754
		Sir/Madam		Lonsdale Villas	14 Beach Close Point Lonsdale VIC 3225
		Sir/Madam		Alpine Toboggan Park	2365 Plenty Rd Whittlesea VIC 3757
Ms	Alicia	Darvall	General Manager	Melbourne Fringe	PO Box 2953 Fitzroy VIC 3065
		Sir/Madam		Octagon Hobart	136 Davey Street Hobart TAS 7000
		Sir/Madam		Derwent Valley Railway	PO Box 478 New Norfolk TAS 7140
		Sir/Madam		Tamar River Retreat Guesthouse	123 Kayena Road Kayena TAS 7270
		Sir/Madam		Strahan Marine Charters	PO Box 104 Strahan TAS 7468
Ms	Pauline	Hedger		Wadlata Outback Centre	41 Flinders Terrace Port Augusta SA 5700
		Sir/Madam		Adelaide International Motel	521 Anzac Highway Glenelg North SA 5045
		Sir/Madam		Firefly Express	111 Franklin Street ADELAIDE SA 5000
Mr	Michael	Broadbent		Adelaide Prestige Chauffeured Services	19A Church Place PORT ADELAIDE SA 5015
		Sir/Madam		Fremantle Motor Museum	B Shed Victoria Quay PO Box 1520 Fremantle WA

Title	First Name	Surname	Job Title	Company	Address
					6160
		Sir/Madam		Esperance Seafront Caravan Park	Goldfields Road Esperance WA 6450
		Sir/Madam		Ningaloo Blue Charters	PO Box 362 Exmouth WA 6707
Mr	Owen	McGough		Sunset Rent-A- Car	Shop 11, Ocean Plaza Centre West Coast Highway Scarborough WA 6019
		Sir/Madam		Kakadu Lodge	PO Box 196 Jabiru NT 0886
		Sir/Madam		Darwin Festival	12 Smith Street Darwin NT 0800
		Sir/Madam		Overlanders Steakhouse	PO Box 3093 Alice Springs NT 0871
		Sir/Madam		VIP Touring Australia	PO Box 69 Yulara NT 0871
		Sir/Madam		Airlie Apartments	PO Box 27 Airlie Beach QLD 4802
		Sir/Madam		Thumm Estate Wines	PO Box 1071 Oxenford, Gold Coast QLD 4210
Ms	Penny	Weir	General Manager	Isa Rodeo	PO Box 353 Mount Isa QLD 4825
		Sir/Madam		The Airport Flyer Pty Ltd	23 Sowden Street Toowoomba QLD 4350
		Sir/Madam		Nolan Gallery	Tharwa Drive Tharwa ACT 2608
		Sir/Madam		Gorman House Markets	Ainslie Avenue Canberra City ACT 2601
		Sir/Madam		Lake Burley Griffin Boat Hire	Acton Ferry Terminal, Barrine Drive Acton ACT 2601
		Sir/Madam		City Walk Hotel	2 Mort St Canberra ACT 2601