



Brisbane Airport  
Corporation Ltd

Make the most of life.

13 September 2004

Yr ref: C2004/1101

Ms Isabelle Arnaud  
Director  
Adjudication Branch  
Australian Competition & Consumer Commission  
PO Box 1199  
DICKSON ACT 2602

Dear Ms Arnaud

**Re: Board of Airline Representatives of Australia – Application for Authorisation (A30232) – Interim Authorisation**

Reference is made to your letter of 12 August, our brief response of 31 August, our more detailed response of 10 September and your letter of 8 September. This letter confirms my telephone conversation with Danielle Jolly.

In view of the length of time it may take for ACCC to reach a final determination, we request that you extend your interim authorisation to include Brisbane Airport for the following reasons:

1. BAC's 5 year Aviation Services & Charges Agreement, a full copy of which is available on our website, provides for ongoing consultation with BAC's major customers, defined to include Qantas, Virgin Blue and (on behalf of its members) BARA.
2. BAC is currently discussing additional check-in counters, additional gates and an extension to the international terminal building. Not granting an interim authorisation could cause disruption to these projects and harm negotiations.
3. BAC's submissions are both strongly supportive of BARA's constructive role in relation to Aviation Services and Charges negotiations as defined in the agreement.
4. BAC has made it clear that it does not support the submission of the Australian Airports Association, indeed was surprised that BAC's dissent from the views expressed in AAA's submission was not included in their submission.

We have copied this letter to BARA who have indicated in their email of 10 September (attached) that they will otherwise have to withdraw from discussions with BAC on these important matters.

Yours sincerely  
BRISBANE AIRPORT CORPORATION

  
Tim Rothwell  
Chief Financial Officer

cc: BARA

**Tim Rothwell**

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**From:** Warren Bennett [barainc@bigpond.com]  
**Sent:** Friday, 10 September 2004 10:57  
**To:** Tim Rothwell  
**Subject:** BAC/BARA consultations

Tim

Your are probably aware of the contents of the ACCC interim authorisation for BARA's activities in collectively negotiating with airport operators and others on matters relating to airline commercial arrangements.

The interim authorisation extends only to SACL, Airservices Australia and Cairns Port Authority. The first two organisations are included because detailed pricing negotiations are currently in progress. CPA is included because it lodged a submission with the ACCC in support of the BARA application.

Apparently, in the absence of a submission from BAC in support of the BARA application ahead of the ACCC's decision on the interim authorisation, Brisbane Airport is not included as an organisation with which BARA is able to conduct negotiations on behalf of its members. Hence, until such time as BARA is granted a general authorisation by the ACCC to conduct negotiations on behalf of its members with airport operators and other service suppliers, BARA will have to withdraw from formal discussions with BAC on matters that relate to commercial provisions for the supply of airport services.

In the first instance, that means BARA will be unable to coordinate and advise airlines' responses and claims in relation to the newly proposed airfield, apron and terminal works at Brisbane Airport. BARA will also have to withdraw from discussions relating to the existing aeronautical services contract between airlines and BAC. Until such time as the BARA application for authorisation is resolved, please contact individual airlines directly to obtain their responses to new capex proposals and other commercial matters that may arise.

Regards,  
Warren Bennett  
Executive Director  
Board of Airline Representatives of Australia  
PO Box N491  
Sydney NSW 1220  
Tel: 02 9299 9919  
Fax: 02 9299 4200  
Mob: 0403 034 634

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**BOARD OF AIRLINE REPRESENTATIVES OF AUSTRALIA**  
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