



**Australian
Competition &
Consumer
Commission**

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Our Ref: A30233-A30235
Contact Officer: David Hatfield
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15 April 2005

Dear Sir or Madam

**Re: GrainCorp, AWB and Export Grain Logistics applications for authorisation
A30233 – A30235 - final determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a determination granting authorisation, subject to a condition, in respect of the application for authorisation lodged by GrainCorp, AWB and Export Grain Logistics on 27 September 2004.

The applicants sought authorisation for the creation and operation of a joint venture (namely Export Grain Logistics) to manage and co-ordinate the movement of their export grain in Queensland, New South Wales and Victoria.

For the reasons set out in the attached determination, The ACCC has decided to grant authorisation until 31 December 2009 for:

- the acquisition of the ordinary shares of Export Grain Logistics, a special purpose company with a share capital of \$2.00 with each of AWB and GrainCorp having a 50% shareholding
- the export collaborative arrangements between GrainCorp and AWB pursuant to the Joint Venture Shareholders Agreement between GrainCorp, AWB and Export Grain Logistics

on condition that within three months, the applicants develop and implement measures designed to ensure that confidential information provided to Export Grain Logistics by third parties will not be provided to or used inappropriately by its shareholders. These measures must be developed in conjunction with and to the satisfaction of an independent person with expertise in ring fencing arrangements.



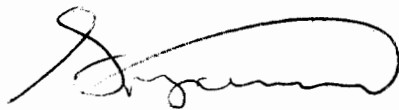
Application for review

Pursuant to section 101 of the *Trade Practices Act 1974*, 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 6 May 2005. If no application to review is lodged by this date, the ACCC's determination will come into force on **7 May 2005**.

A copy of the determination is attached. It will also be available on the ACCC's website at www.accc.gov.au (by following the Public Registers and Authorisations links).

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter or would like a hard copy of the determination sent to you, please do not hesitate to contact David Hatfield on (02) 6243 1266.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Gregson', with a large, sweeping flourish at the end.

Scott Gregson
A/g General Manager
Adjudication Branch