



**Australian
Competition &
Consumer
Commission**

Our Ref: C2006/2241
Contact Officer: Gina D'Ettorre
Contact Phone: 03 9290 1483

PO Box 1199
Dickson ACT 2602
470 Northbourne Ave
Dickson ACT 2602
Tel: (02) 6243 1111
Fax: (02) 6243 1199
www.accc.gov.au

6 June 2007

Mr Andrew McKellar
Chief Executive
Federal Chamber of Automotive Industries
GPO Box 313
CANBERRA ACT 2600

Dear Mr McKellar

**Re: Federal Chamber of Automotive Industries application
for authorisation A91023 - final determination**

The Australian Competition and Consumer Commission (ACCC) has issued a final determination in respect of the application for authorisation lodged by the FCAI on 12 December 2006.

A copy of the ACCC's final determination is attached. For the reasons set out in its final determination, the ACCC has denied authorisation for the FCAI to coordinate and disseminate its members' views regarding the development of facilities for the importation and exportation of motor vehicles into and out of Australia. The ACCC has also denied authorisation for the FCAI to negotiate model terms and conditions for the use of such facilities, except with respect to facilities provided by automotive stevedores and port facilities managers. The ACCC has granted authorisation for the FCAI to negotiate model terms and conditions with automotive stevedores and port facilities managers for 5 years.

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 27 June 2007. If no application to review is lodged by this date, the ACCC's determination will come into force on 28 June 2007.



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 Gina D'Ettorre on 03 9290 1483.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a long, horizontal, wavy line that ends in a small loop.

Scott Gregson
General Manager
Adjudication Branch