



**Australian
Competition &
Consumer
Commission**

GPO Box 3131
Canberra ACT 2601

23 Marcus Clarke Street
Canberra ACT 2601

tel: (02) 6243 1111
fax: (02) 6243 1199

www.accc.gov.au

Our Ref: C2008/269
Contact Officer: Tess Macrae
Contact Phone: (02) 6243 1354

2 July 2008

Mr Paul Evans
Freehills
Level 36, QV.1 Building
250 St Georges Terrace
PERTH WA 6000

Dear Mr Evans

**CEMEX Australia Pty Ltd - application authorisation A91082
- final determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a determination in respect of the application for authorisation lodged by CEMEX Australia Pty Ltd on 8 February 2008.

A copy of the ACCC's determination is attached, including a summary of its reasons. For the reasons set out in its determination, the ACCC has decided to grant authorisation for five years. The ACCC's assessment is set out in Chapter 6 of its determination.

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 23 July 2008. If no application to review is lodged by this date, the ACCC's determination will come into force on 24 July 2008.

An application for review of the ACCC's determination should be lodged directly with the Australian Competition Tribunal. The Australian Competition Tribunal is a separate body from the ACCC and is located within the Federal Court of Australia.

For further information about the process involved in reviewing decisions in the Australian Competition Tribunal please refer to the tribunal's website located at <http://www.competitiontribunal.gov.au/>.

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 Tcss Macrae on (02) 6243 1354.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R' followed by a long horizontal flourish.

Dr Richard Chadwick
General Manager
Adjudication Branch