



**Australian
Competition &
Consumer
Commission**

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Our Ref: A91072-A91074
Contact Officer: Shane Chisholm
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23 April 2008

Liza Carver
Partner
Gilbert + Tobin
GPO Box 3810
SYDNEY NSW 2001

Dear Ms Carver

**Newcastle Port Corporation application for authorisation A91072-A91074
- final determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a determination in respect of the applications for authorisation lodged by Newcastle Port Corporation on 4 December 2007.

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 until 31 December 2008. 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 14 May 2008. If no application to review is lodged by this date, the ACCC's determination will come into force on 15 May 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 Shane Chisholm on (02) 6243 1252.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D Hatfield', written in a cursive style.

David Hatfield
Acting General Manager
Adjudication Branch