



**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: C2008/1276
Contact Officer: Clare McGinness
Contact Phone: (02) 6243 1049

27 January 2009

Dear Sir/Madam

**Air New Zealand and Air Canada applications for authorisation A91097 & A91097 -
determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a determination in respect of the applications for authorisation lodged by Air New Zealand and Air Canada on 6 August 2008.

The Applicants sought authorisation to give effect to a Cooperation Agreement to jointly promote and sell direct flights between Sydney and Vancouver (operated by Air Canada) and Auckland and Vancouver (operated by Air New Zealand).

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 deny authorisation.

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 **17 February 2009**. If no application to review is lodged by this date, the ACCC's determination will come into force on **18 February 2009**.

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/>.

INTERESTED PARTY LIST – Final Determination

Australian Federation of Travel Agents

Cathay Pacific

Department of Infrastructure

International Air Services Commission

Qantas

United Airlines

Singapore Airlines