



**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](http://www.accc.gov.au)

Contact Officer: Monica Bourke  
Contact Phone: (02) 6243 1351

11 August 2009

<Address>

Dear <Salutation>

**Australian Amalgamated Terminals Pty Limited - applications for authorisation  
A91181 & A91182**

The Australian Competition and Consumer Commission (the ACCC) has received further applications for authorisation from the Australian Amalgamated Terminals Pty Limited (AAT).

The applications are to take account of amendments introduced by the *Trade Practices Amendment (Cartel Conduct and Other Measures) Act 2009* which commenced on 24 July 2009. The conduct for which authorisation is being sought under applications A91181 and A91182 is the same conduct that AAT originally sought authorisation for on 10 June 2009 (authorisation applications A91141 & A91142).

AAT is a joint venture established in 2002 which operates automotive and general cargo terminals at Port Kembla (New South Wales), Fisherman Islands (Queensland), Webb Dock West (Victoria), Outer Harbour (South Australia) and Bell Bay (Tasmania). AAT is seeking authorisation to give effect to the agreements and related arrangements which establish AAT, including the Shareholders' Agreement and the Constitution of AAT.

A copy of the new applications A91181 and A91182 are available from the ACCC's website ([www.accc.gov.au/AuthorisationsRegister](http://www.accc.gov.au/AuthorisationsRegister)).

The ACCC sought submissions from interested parties in respect of applications A91141 and A91142 in June of this year. The ACCC is proposing to have regard to these submissions in considering whether to grant authorisation to AAT's proposed arrangements.

**Timetable**

The ACCC will continue to progress its assessment of the applications in a timely manner. An updated indicative timetable is set out below for your information.

|                               |   |
|-------------------------------|---|
| <b>5 August 2009</b>          | Lodgement of applications A91181 and A91182.                                      |
| <b>September 2009</b>         | Draft Determination in respect of applications A91141, A91142, A91181 and A91182. |
| <b>October 2009</b>           | Public consultation on Draft Determination including any conference if called.    |
| <b>November/December 2009</b> | Final Determination in respect of applications A91141, A91142, A91181 and A91182. |

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 Sharon Clancy on (02) 6243 1217 or Monica Bourke on (02) 6243 1351.

Yours sincerely



*Fee*  
Joanne Palisi  
Director  
Adjudication Branch