



**Australian
Competition &
Consumer
Commission**

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Our Ref: A91205-A91207
Contact Officer: Teresa Nowak
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2 June 2010

Ms Margaret Brown
Minter Ellison Lawyers
1 Eagle Street
BRISBANE QLD 4000

By e-mail: Margaret.Brown@minterellison.com

Dear Ms Brown

**Rio Tinto Aluminium Limited and ors applications for authorisation A91205-A91207
- final determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a determination in respect of the above mentioned applications for authorisation lodged with the Australian Competition and Consumer Commission (the ACCC) on 24 December 2009.

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 conditional authorisation for the specified amendments to the GPS agreements until 29 March 2029. The ACCC's assessment is set out in Chapter 4 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 June 2010. If no application to review is lodged by this date, the ACCC's determination will come into force on 24 June 2010.

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 Teresa Nowak on (02) 6243 1239.

Yours sincerely



Dr Richard Chadwick
General Manager
Adjudication Branch