



**Australian  
Competition &  
Consumer  
Commission**

GPO Box 520  
Melbourne Vic 3001

Level 35, The Tower  
360 Elizabeth Street  
Melbourne Vic 3000

tel: (03) 9290 1800  
fax: (03) 9663 3699

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

Our Ref: C2010/553  
Contact Officer: Lauren Roy  
Contact Phone: (03) 9290 1823

3 December 2010

Dear Sir/Madam

**Brisbane Marine Pilots Pty Ltd application for authorisation A91235  
- final determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a determination in respect of the application for authorisation lodged by Brisbane Marine Pilots Pty Ltd on 10 June 2010.

BMP sought authorisation for a pilotage services agreement it has entered into with Maritime Safety Queensland (MSQ). Under the agreement, MSQ would be required to acquire all pilotage services at the Port of Brisbane exclusively from BMP until 31 December 2013.

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. 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 (the 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 24 December 2010.

An application for review of the ACCC's determination should be lodged directly with the tribunal. The 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 Lauren Roy on (03) 9290 1823.

Yours sincerely

A handwritten signature in black ink, appearing to be 'GJ' or 'G Jones', written in a cursive style.

Gavin Jones  
Director  
Adjudication Branch

**Brisbane Marine Pilots Pty Ltd application for authorisation A91235 – final determination**

**Interested parties – 3 December 2010**

Australasian Marine Pilots Institute  
Australian Reef Pilots  
Flinders Ports Pty Ltd  
National Bulk Commodities Group Inc  
Newcastle Port Corporation  
P&O Automotive & General Stevedoring  
Ports Australia  
Shipping Australia Ltd