



Australian
Competition &
Consumer
Commission

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Our Ref: C2010/453
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27 July 2011

Luke Woodward
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2 Park Street
Sydney NSW 2000

Louise Klamka
Lawyer
Gilbert + Tobin
2 Park Street
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Sent via email: LWoodward@gtlaw.com.au; LKlamka@gtlaw.com.au

Dear Mr Woodward & Ms Klamka

Virgin Australia & Air New Zealand request to vary the requirement to comply fully with condition 1(b) of authorisations A91227 & A91228 for two scheduling seasons following the Christchurch earthquake - decision

I refer to the above mentioned request lodged with the Australian Competition and Consumer Commission (the ACCC) on 3 June 2011.

Based on the information available, the ACCC has decided to vary the requirement on Virgin Australia and Air New Zealand to comply fully with condition 1(b) of authorisations A91227 & A91228 for the Northern Summer 2011 and Northern Winter 2011 scheduling seasons. Please find enclosed a copy of the decision document.

The ACCC's decision is subject to Virgin Australia and Air New Zealand notifying the ACCC of any material changes in demand conditions so that the variation may be amended accordingly.

Should new information come to the ACCC's attention, or should it become aware that any information upon which it has based its decisions is incorrect or incomplete the ACCC may reconsider its decision.

Pursuant to the terms of the conditions of authorisations A91227 & A91228, the ACCC will expect to receive audit reports concerning the applicants' compliance with the varied conditions for each scheduling season, in accordance with clause 3.5 of the conditions.

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 Imogen Hartcher-O'Brien on (02) 6243 1049 or Darrell Channing on (02) 6243 4925.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D Channing', with a large, sweeping flourish at the end.

Dr Richard Chadwick
General Manager
Adjudication Branch