



**Australian
Competition &
Consumer
Commission**

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25 July 2012

Dear Sir/Madam

**Emirates and Flydubai applications for authorisation A91298 and A91299 –
final determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a determination in respect of the applications for authorisation lodged by Emirates and Flydubai on 23 April 2012.

Emirates and Flydubai sought authorisation to make, and give effect to, their Affiliation Agreement. Under the Affiliation Agreement the applicants will coordinate on international air passenger transport and international air cargo transportation services between Australia and the Middle East and Australia and regions adjacent the Middle East (North West Africa, Indian sub-continent, Eastern Europe).

A copy of the ACCC's determination is attached, including a summary of its reasons. For the reasons set out in the determination, the ACCC has decided to grant authorisation until 31 August 2022.

Application for review

Pursuant to section 101 of the *Competition and Consumer Act 2010*, 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 15 August 2012. If no application to review is lodged by this date, the ACCC's determination will come into force on 16 August 2012.

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 Mark Basile on (03) 9290 1855.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D Jones', with a stylized flourish extending from the end.

David Jones
Director
Adjudication Branch

A91298 & A91299 – Emirates and Flydubai – Final Determination – IP List

Aerolineas Argentinas
Air Canada
Air China
Air Mauritius
AirAsia X
Australasian Conference & Events
Australia India Business Council
Australia-Africa Business Council
Australian Arab Chamber of Commerce and Industries
Australian Federation of International Forwarders
Australian Federation of Travel Agents
Australian Industry Group
Australian Lebanese Chamber of Commerce
Australian Services Union
Board of Airline Representatives of Australia
Brisbane Airport Corporation Pty Limited
British Airways
Cathay Pacific Airways
Centre for Asia Pacific Aviation
China Eastern
China Southern Airlines
CHOICE
Consolidated Travel Group
Consumer Action Law Centre
Delta Air Lines, Inc
Department for Manufacturing, Innovation, Trade, Resources and Energy
Department of Business and Innovation
Department of Foreign Affairs and Trade
Department of Infrastructure, Transport, Regional Development and Local Government
Department of Resources, Energy and Tourism
Department of Trade and Investment, Regional Infrastructure and Services
Etihad
ICMS
Industry NSW
Infrastructure Australia
International Air Services Commission
LAN Airlines
Malaysia Airlines
Meetings and Events Australia
Melbourne Airport
Perth Airport
Qantas Airways
Qatar Airlines
Queensland Government Aviation Committee (Department of Employment, Economic Development and Innovation)
Royal Brunei
Singapore Airlines Ltd
Skywest Airlines Pty Ltd
Solomon Airlines

State Government of Victoria
Sydney Airport
Tiger Aviation Pte Ltd
Tour Hosts Pty Limited
Tourism Australia
Tourism NSW
Tourism NT
Tourism Queensland
Tourism Tasmania
Tourism Victoria
Tourism WA
Trade and Investment Queensland
TTF Australia
United Airlines
Virgin Australia Airlines