



**Australian
Competition &
Consumer
Commission**

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14 December 2012

Dear Sir/Madam

**Qantas Airways Limited and Jetstar Airways Pty Ltd
applications for authorisation A91314 & A91315 - draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by Qantas Airways Limited (Qantas) and Jetstar Airways Pty Ltd (Jetstar) on 28 June 2012.

Qantas and Jetstar are seeking authorisation for coordination involving four Jetstar branded joint ventures (Jetstar Asia, Jetstar Pacific, Jetstar Japan and Jetstar Hong Kong).

A copy of the ACCC's draft determination and summary of its reasons is attached.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for five years.

Next steps

Once the ACCC issues a draft determination, the Applicants or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **18 January 2012**. Please see the ACCC's publication [Authorisation process - the basics](#) for a summary of the authorisation process and how to make a submission to the ACCC.

A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

Section 90A(2) of the Competition and Consumer Act 2010 provides that an applicant, or any other interested party, must request a conference within 14 days after a date fixed by the ACCC. Due to the Christmas period, the ACCC fixes 4 January 2012 as the date this period commences.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing between 4 January 2012 and **18 January 2012**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications.

Submissions will be placed on the ACCC's public register subject to any request for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

Timetable

The statutory timeframe for the ACCC to release a final determination on this authorisation was originally 28 December 2012. The ACCC has determined, and Qantas has agreed to, this date being extended to 28 April 2013.

An updated indicative timetable is set out below for your information.

Indicative date	Stage in assessment process
28 June 2012	Lodgement of application and supporting submission.
5 July 2012	Public consultation process begins.
14 December 2012	Draft determination.
18 January 2012	Closing date for submissions on draft determination and for a conference to be called.
March/April 2012	Final determination.

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



Dr Richard Chadwick
General Manager
Adjudication Branch