



**Australian
Competition &
Consumer
Commission**

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21 May 2012

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Partner
Gilbert + Tobin
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Louise Klamka
Lawyer
Gilbert + Tobin
2 Park Street
Sydney NSW 2000

Sent via email: LWoodward@gtlaw.com.au; LKlamka@gtlaw.com.au

Dear Mr Woodward & Ms Klamka

**Second auditor's report in relation to compliance by Virgin Australia & Air
New Zealand with conditions 1(a) and 1(b) of authorisations A91227 & A91228
Northern Winter 2011 scheduling season**

I refer to the audit report dated 8 May 2012 prepared by Pitcher Partners pursuant to clause 3.5 of the conditions of Authorisations A91227 & A91228 (the **Conditions**).

The ACCC considers the substance of the audit report meets the requirements in clause 3.5(b) of the Conditions. Based on the information provided in the audit report, the ACCC accepts that Virgin Australia and Air New Zealand have complied with clause 1(a) and 1(b)¹ of the Condition for Northern Winter 2011 scheduling season.

¹ On 27 July 2011, the ACCC varied the requirement on Virgin Australia and Air New Zealand to comply fully with condition 1(b) of authorisations A91227 & A91228 for Northern Summer 2011 and Northern Winter 2011 scheduling seasons. Further, on 4 August 2011, the ACCC varied the requirement on Virgin Australia and Air New Zealand to comply fully with conditions 1(a) and 1(b) of authorisations A91227 & A91228 for Northern Summer 2011 scheduling season.

This letter and the audit report prepared by Pitcher Partners dated 8 May 2012 will be 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, consisting of a stylized 'R' followed by a horizontal line that tapers to the right.

Richard Chadwick
General Manager
Adjudication Branch