Australian
Competition &
Consumer
Commission

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13 August 2013

<Name>
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Dear Sir / Madam

Third line forcing notifications N96205 & N96886 – N96892 lodged by Qube Logistics (Aust) Pty Ltd & Ors (Qube)

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 12 October 2012 and 31 July 2013. The notifications have been placed on the ACCC's public register.

Under the notifications, container transport operators seeking to access any facility operated by Qube to pick up or drop off empty containers are required to lodge a prior notification using a booking system administered by Containerchain Pty Limited.

As you are aware, the ACCC has written to interested parties seeking submissions in relation to the notifications. Copies of all public submissions received by the ACCC are available on the ACCC's website.

Having regard to the information provided by Qube and interested parties, the ACCC is satisfied that the likely benefit to the public from the notified conduct will outweigh the likely detriment to the public.

Accordingly, the ACCC does not intend to take any further action in this matter at this time. Please find attached the ACCC's public decision document released on 13 August 2013, outlining the ACCC's analysis in reaching this decision.

As with any notification, please note that the ACCC may act to remove the legal protection provided by the notification at a later stage if it is satisfied that the likely benefit to the public from the conduct will not outweigh the likely detriment to the public from the conduct. 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 Luke Griffin on (02) 6243 1114.

Yours sincerely

Dr Richard Chadwick
General Manager
Adjudication Branch