



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: 49927 & 51877  
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13 August 2013

Luke Woodward  
Gilbert + Tobin

By email: [lwoodward@gtlaw.com.au](mailto:lwoodward@gtlaw.com.au)

Dear Mr Woodward

**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.

Legal protection conferred by the notifications commences on 26 October 2012 for notification N96205 and 14 August 2013 for notifications N96886 – N96892.

On the basis of the information provided by Qube and interested parties it is not intended that further action be taken in this matter at this stage.

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 assessment has been made on the basis that Qube and Containerchain will disclose all relevant terms and conditions to prospective customers.

A copy of 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

A handwritten signature in blue ink, consisting of a stylized initial 'R' followed by a long horizontal line.

Dr Richard Chadwick  
General Manager  
Adjudication Branch