



**Australian  
Competition &  
Consumer  
Commission**

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18 March 2013

Dear Sir/Madam

### **Virgin Australia & Air New Zealand applications for authorisation A91362 & A91363 – interested party consultation**

The Australian Competition and Consumer Commission (the ACCC) is currently conducting a consultation process on an application for re-authorisation received from Virgin Australia Airlines & Air New Zealand Limited on 8 March 2013.

The purpose of this letter is to invite you, as a potentially interested party, to comment on the application. 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.

#### **Application for re-authorisation**

Virgin Australia and Air New Zealand seek authorisation to maintain and to continue to give effect to the Australasian Airline Alliance Agreement (Alliance Agreement), an associated Code Share Agreement and related agreements which are contemplated by the Alliance Agreement. The applicants have sought re-authorisation that is unconditional and for a period of five years.

#### **Background**

The ACCC previously granted authorisation to Virgin Australia (formerly Virgin Blue) and Air New Zealand to give effect to the Alliance Agreement, subject to a condition that they maintain, and grow, a base level of capacity on the routes of concern for the term of the authorisation. The ACCC granted authorisation until 31 December 2013.

#### **Request for submissions**

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements.

Further, the ACCC invites you to outline your general experience of the alliance during the term of the previous authorisation. The ACCC would also welcome your views on the public benefits and detriments you consider have actually resulted from the alliance during the previous authorisation period, particularly in relation to enhancements of the applicants' product and service offerings, whether lower fares have resulted from the alliance, whether the alliance has resulted in a competitive response from rivals and whether the alliance has resulted in a stimulation of tourism.

The ACCC also invites interested parties to comment on the applicants request that re-authorisation be granted without the current condition (that they maintain, and grow, a base level of capacity).

If you intend to provide a submission in relation to this application please provide it by **12 April 2013**.

Submissions, including oral 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 ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information.

<b>Indicative date</b>	<b>Stage in assessment process</b>
8 March 2013	Lodgement of application and supporting submission.
18 March 2013	Public consultation process begins.
12 April 2013	Closing date for submissions from interested parties.
26 April 2013	Applicant responds to issues raised in the public consultation process.
June/July 2013	Draft determination.
June/July 2013	Public consultation on draft determination including any conference if called.
August/September 2013	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the applications at the draft and final determination stages. If you are able to, please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the applications.

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 or [mark.basile@acc.gov.au](mailto:mark.basile@acc.gov.au), or Darrell Channing on (02) 6243 4925 or [darrell.channing@acc.gov.au](mailto:darrell.channing@acc.gov.au).

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Richard Chadwick', with a long horizontal line extending to the right.

Dr Richard Chadwick  
General Manager  
Adjudication Branch

**Virgin Australia & Air New Zealand - Authorisations - A91362 & A91363 – interested party consultation**

Adelaide Airport  
Aerolineas Argentinas  
Air Canada  
Air China  
Air Mauritius  
AirAsia X  
Auckland International Airport Limited  
Australasian Conference & Events  
Australian & International Pilots Association  
Australian Federation of Travel Agents  
Australian Federation of Travel Agents  
Australian Industry Group  
Australian Licenced Aircraft Engineers Association  
Australian Services Union  
Australian Tourism Export Council  
Board of Airline Representatives of Australia  
Brisbane Airport Corporation Pty Limited  
British Airways  
Cairns Airport Pty Ltd  
Canberra Airport  
Christchurch Airport  
Cathay Pacific Airways  
Centre for Asia Pacific Aviation  
China Airlines  
China Eastern  
China Southern Airlines  
CHOICE  
Consolidated Travel Group  
Consumer Action Law Centre  
Consumer's Federation of Australia  
Delta Air Lines, Inc  
Department of Economic Development, Tourism and the Arts Tasmania  
Department of Infrastructure and Transport  
Emirates  
Etihad Airways  
Fed Ex  
Gold Coast Airport Pty Ltd  
Greater Wellington Regional Council  
Hamilton International Airport  
ICMS  
International Air Services Commission  
International Air Services Commmission  
Jump Jet Airlines Limited  
K.I.S.S. Travel International  
Key Wellington Stakeholders  
LAN Airlines  
Malaysia Airlines  
Melbourne Airport  
Melbourne Airport

National Tourism Alliance  
New Zealand Airports Association  
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  
Sydney Airport  
Sydney Airport Corporation Limited  
Tiger Airways Australia Pty Limited  
Tour Hosts Pty Limited  
Tourism Australia  
Tourism NSW  
Tourism NT  
Tourism Queensland  
Tourism Tasmania  
Tourism Victoria  
Tourism WA  
Transport Workers Union  
United Airlines  
UPS  
VIPA  
Wellington International Airport  
Wellington Regional Chamber of Commerce