

Tony Sheldon National Secretary

22 March 2013

Dr Richard Chadwick
General Manager
Adjudication Branch
Enforcement and Compliance Division
Australian Competition & Consumer Commission

By email: adjudication@acc.gov.au

Dear Dr Chadwick,

Applications for Authorisation A91332 and A91333 – Qantas/Emirates Master Coordination Agreement

The TWU notes the submission of the Applicants of 20 February 2013, in which they addressed the scope of this proposed agreement with reference to their respective non-flying businesses.

The Applicants have stated that there is no current intention for any coordination between the non-flying businesses owned by, or related to, the Applicants in ports where they have overlapping operations. The Applicants make specific reference to a number of non-flying businesses, including cleaning, catering, ground handling and engineering.

The Applicants have, however, only stated that they are willing to exclude coordination between catering and aircraft cleaning operations from the scope of the application. It is not open to the Applicants to propose an alliance with moveable boundaries.

The ACCC cannot properly exercise its duty such that it is “satisfied in all the circumstances” that the benefits to the public outweigh the detriments from the lessening of competition without clear parameters to the application.

While the TWU maintains its wholesale opposition to the application, we believe that the ACCC should now ensure that all of the non-flying operations of the Applicants are expressly excluded from the proposed conduct and make its decision on that basis.

We reiterate the concerns raised in our previous submissions about this application and the lack of serious consideration given by the ACCC on the impact it would have on the economy, competition, consumers' choice and safety. We strongly press our submission that such an alliance would do nothing to promote or protect Australian jobs.

Yours faithfully



Tony Sheldon
National Secretary
Transport Workers' Union