



Australian
Competition &
Consumer
Commission

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15 April 2013

Stephen Borthwick
General Manager
Aviation Industry Policy
Department of Infrastructure and Transport

By email: Stephen.Borthwick@infrastructure.gov.au

CC: Ross.Adams@infrastructure.gov.au

Dear Mr Borthwick

**Authorisation A91362 & A91363 submitted by Virgin Australia and Air New Zealand –
request for material to be excluded from the public register**

I refer to the above applications for authorisation lodged with the Australian Competition and Consumer Commission (the ACCC) on 8 March 2013.

I have considered your request that the confidential annexure to your 12 April 2013 submission be excluded from the ACCC's public register.

As you are aware, the ACCC is generally required under section 89 of the *Competition and Consumer Act 2010* (the Act) to place documents provided to it in relation to an application for authorisation on the ACCC's public register. The Act provides that a person submitting a document in relation to an authorisation application may request that the document or parts thereof be excluded from the public register by reason of the nature of certain information contained in the document.

As a person authorised to make a decision for and on behalf of the ACCC in relation to such a request, I advise that the confidential annexure will not be placed on the public register.

This letter has been placed on the ACCC's public register.

Should you have any queries in relation to this matter, please do not hesitate to contact Mark Basile on (03) 9290 1855.

Yours sincerely

Dr Richard Chadwick
General Manager
Adjudication Branch