



**Australian  
Competition &  
Consumer  
Commission**

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10 July 2013

Dear Sir/Madam

**Virgin Australia & Air New Zealand applications for authorisation A91362 & A91363 – draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged Virgin Australia Airlines & Air New Zealand Limited on 8 March 2013.

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.

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.

**Draft determination**

A copy of the ACCC's draft determination and summary of its reasons is attached.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation subject to conditions for three years.

**Next steps**

Once the ACCC issues a draft determination, the Applicant or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **24 July 2013**.

A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by **24 July 2013**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications.

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](#).

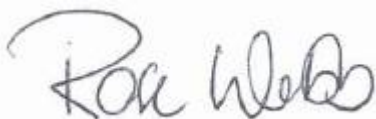
### **Timetable**

The ACCC will continue to progress its assessment of the application in a timely manner. An updated 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.
July 2013	Draft determination.
July 2013	Public consultation on draft determination including any conference if called.
September 2013	Final determination.

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 Imogen Hartcher-O'Brien on (02) 6243 2049 or [Imogen.hartcher-o'brien@acc.gov.au](mailto:Imogen.hartcher-o'brien@acc.gov.au).

Yours sincerely



Rose Webb  
Executive General Manager  
Mergers and Adjudication Group

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

Christchurch International Airport

Department of Infrastructure and Transport

Dunedin International Airport

Emirates

K.I.S.S. Travel International

Key Wellington Stakeholders

Qantas Airways