



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: 55523  
Contact Officer: Hannah Ransom  
Contact Phone: (02) 6243 1255

GPO Box 3131  
Canberra ACT 2601

23 Marcus Clarke Street  
Canberra ACT 2601

tel: (02) 6243 1111  
fax: (02) 6243 1199

[www.accc.gov.au](http://www.accc.gov.au)

29 October 2014

### **By email**

Dear Sir or Madam

### **Anglo American Services and Jellinbah Group application for authorisation A91447 - draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by Anglo American Services and Jellinbah (the **Applicants**) on 7 August 2014.

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.

The Applicants are seeking authorisation to collectively negotiate terms and conditions for the purchase of tyres for mining vehicles and to include Jellinbah as a participating buyer group company in Anglo American's tyre purchasing arrangements.

### **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 for five years.

### **Interim authorisation**

The ACCC has also granted interim authorisation to allow the Applicants to implement the Conduct.

### **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 **19 November 2014**. "Submissions should be emailed to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) with the subject "A91447 – Anglo American Services & Jellinbah Group – submission".

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 **19 November 2014**.

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 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.

Indicative date	Stage in assessment process
8 August 2014	Lodgement of application and supporting submission.
October 2014	ACCC decision regarding interim authorisation; draft determination issued.
November 2014	Public consultation on draft determination including any conference if called.
December 2014	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 Hannah Ransom on (02) 6243 1255 or [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au).

Yours sincerely



David Hatfield  
Director  
Adjudication Branch

## **Interested Parties Consulted**

Association of Mining and Exploration Companies  
Australian Tyre Industry Council  
Department of Industry  
Transityre B.V.