



**Australian
Competition &
Consumer
Commission**

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14 May 2014

Dear Sir/Madam

Transport Workers' Union of Australia Queensland Branch – application for authorisation A91427 – interested party consultation

The Australian Competition and Consumer Commission (the ACCC) has received an application for authorisation from the Transport Workers' Union of Australia (TWU) Queensland Branch. The ACCC invites you to comment on the application. Attached is a summary of the authorisation process, including how to make a submission to the ACCC.

Application for authorisation

The TWU is seeking authorisation on behalf of owner driver members contracted to Toll Transport Pty Ltd to engage in collective bargaining with Toll, for the purpose of establishing new contractual arrangements for the supply of air freight courier transport services from the Brisbane Airport depot. The TWU is seeking authorisation for five years.

A full copy of the application for authorisation is available on the ACCC's website <www.accc.gov.au/AuthorisationsRegister>. Further information about the authorisation process is available here: <https://www.accc.gov.au/publications/authorisation>

Interim authorisation

The TWU has also requested interim authorisation to commence collective bargaining while the ACCC assesses its application. It undertakes not to finalise bargaining before the ACCC makes a final determination in this matter.

The ACCC decides whether to grant interim authorisation on a case by case basis. Should an applicant request interim authorisation, the ACCC will usually consider a range of factors, including harm to the applicant and other parties if interim is or is not granted, possible benefit and detriment to the public, the urgency of the matter and whether the market would be able to return to substantially its pre-interim state if the ACCC should later deny authorisation.

Request for submissions

The ACCC also invites you to make a submission on the substantive application and/or the application for interim authorisation lodged by the TWU including the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements.

If you intend to provide a submission in relation to the TWU's application for authorisation, please do so by **30 May 2014**. Submissions should be emailed to adjudication@acc.gov.au with the subject "Transport Workers Union – submission".

Submissions, including oral submissions, will be placed on the ACCC's public register subject to any request for exclusion. Further information about excluding information from the public register is available here: www.acc.gov.au/excludinginformationfrompublicregister.

Timetable

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

5 May 2014	Lodgement of application and supporting submission.
14 May 2014	Public consultation process begins.
30 May 2014	Closing date for submissions on interim and substantive authorisation.
June 2014	ACCC decision regarding interim authorisation and draft determination.
June/July 2014	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 application at the draft and final determination stages.

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

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please contact Sam Campbell on (03) 9290 1870 or adjudication@acc.gov.au.

Yours sincerely

A handwritten signature in blue ink that reads "DChanning". The signature is stylized with a large, sweeping loop at the end.

Darrell Channing
Director
Adjudication Branch

ATTACHMENT A – LIST OF INTERESTED PARTIES

Australian Government Department of Employment
Chamber of Commerce and Industry Queensland
DHL Express (Australia) Pty Ltd
Federal Express (Australia) Pty Ltd
Queensland Government Department of Education, Training and Employment
Queensland Government Department of Transport and Main Roads
Owner Drivers Australia
Star Track Express Pty Ltd
TNT Australia Pty Ltd
UPS Pty Ltd