



**Australian
Competition &
Consumer
Commission**

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Anna Pritchard
Head of Legal - Competition
Qantas Airways Limited
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Tao Zhen
International Affairs Divisions
Legal Department
China Eastern Airlines Corporation Limited
ztao@ceair.com

Dear Ms Pritchard and Ms Tao

Qantas & China Eastern applications for authorisation A91470 & A91471 – request for extension to be granted under section 90(10A)

I refer to the Australian Competition and Consumer Commission's (the ACCC) draft determination in relation to the above listed applications for authorisation, released on 24 March 2015.

The ACCC requested that submissions in response to the draft determination be provided by 8 April 2015. Qantas has requested an extension until 24 April 2015 to provide a submission and indicated that the Applicants would be agreeable to extending the relevant period for consideration of the applications for authorisation.

As you are aware the *Competition and Consumer Act 2010* (the Act) provides that if the ACCC does not determine an application for authorisation within the relevant period, then it is taken to have granted the application at the end of that period. The relevant period is 6 months beginning on the day the ACCC received the applications and in relation to the applications lodged by Qantas and China Eastern ends on 18 May 2015.

Section 90(10A) of the Act provides that the relevant period may be extended where:

- the ACCC has prepared a draft determination under subsection 90A(1) in relation to the application; and
- the ACCC determines in writing that the period is extended by a specified period of not more than six months; and
- the applicant agrees to the period being so extended.

The purpose of this letter is to advise you that in accordance with subsection 90(10A)(b) of the Act the ACCC has determined that the relevant period for consideration of Qantas and

China Eastern's applications has been extended until 31 August 2015 and to seek your agreement that the relevant period is so extended.

The ACCC considers that an extension is appropriate to provide sufficient time for Qantas to provide a submission and for the ACCC to consider the additional information Qantas proposes to provide.

To enable this issue to be dealt with expeditiously, I would appreciate receiving your response to this request by 21 April 2015.

A copy of this letter will be placed on the ACCC's public register.

If you wish to discuss any aspect of this matter please do not hesitate to contact me on 02 6243 1132, richard.chadwick@acc.gov.au or Gavin Jones on 03 9290 1475, gavin.jones@acc.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Richard Chadwick', with a long horizontal stroke extending to the right.

Dr Richard Chadwick
General Manager
Adjudication Branch