



**Australian
Competition &
Consumer
Commission**

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12 June 2015

Dear Sir/Madam

Qantas Airways Limited and American Airlines application for revocation of authorisations A91265 & A91266 and substitution of new authorisations A91502 & A91503 – interested party consultation

The Australian Competition and Consumer Commission (ACCC) is conducting a consultation process on applications for revocation and substitution (re-authorisation) received from Qantas Airways Limited (Qantas) and American Airlines Group, Inc. (American) (the Applicants) on 10 June 2015.

The Applicants and their related bodies corporate are seeking re-authorisation for 10 years to coordinate their operations between and within Australia/New Zealand and the United States, Canada, and Mexico pursuant to a Restated Joint Business Agreement (Restated JBA) and associated agreements.

The Proposed Conduct includes coordination in respect of marketing and sales, freight, pricing, scheduling, distribution strategies including joint agency arrangements, yield and inventory management, frequent flyer programs, lounges, joint procurement and product and service standards.

The purpose of this letter is to invite you, as a potentially interested party, to comment on the applications. 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.

A copy of the application is available on the ACCC's website www.accc.gov.au/AuthorisationsRegister.

Interim authorisation

The Applicants are seeking interim authorisation on an urgent basis to facilitate the introduction of a new joint service between Sydney and Los Angeles (operated by American) and a new joint service between Sydney and San Francisco (operated by Qantas).

The ACCC endeavours to deal with requests for interim authorisation quickly. In making an assessment as to whether it is appropriate to grant interim authorisation, the ACCC is not required to undertake a full assessment of the benefit and detriment likely to arise as a result of the proposed conduct. Nevertheless, submissions in relation to interim authorisation are invited 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 authorisation 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 authorisation state if the ACCC should later deny authorisation.

Request for submissions on interim authorisation and/or substantive application

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the Proposed Conduct.

If you intend to provide a submission in relation to the Applicants' application for interim authorisation please do so by **26 June 2015**.

If you intend to provide a submission in relation to the Applicants' substantive applications for authorisation please do so by **3 July 2015**.

Submissions should be emailed to adjudication@acc.gov.au with the subject "A91502 – A91503 – Qantas & American – submission".

Alternatively, if you would like to provide comments orally, please contact Hubert Wu on (03) 9658 6490 or Luke Griffin on (02) 6243 1114 or via email adjudication@acc.gov.au to organise a suitable time.

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

Indicative date	Stage in assessment process
10 June 2015	Lodgement of application and supporting submission.
12 June 2015	Public consultation process begins.
26 June 2015	Closing date for submissions on interim authorisation.
3 July 2015	Closing date for submissions on substantive application for re-authorisation.
July 2015	ACCC decision regarding interim authorisation. Applicants respond to issues raised in the

Indicative date	Stage in assessment process
	public consultation process.
August/September 2015	Draft determination.
September/October 2015	Public consultation on draft determination including any conference if called.
October/November 2015	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 applications at the draft and final determination stages. If you are able to, please provide a nominated contact email address for future correspondence. You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the applications.

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 Luke Griffin on 02 6243 1114 or adjudication@acc.gov.au.

Yours sincerely



Dr Richard Chadwick
General Manager
Adjudication Branch

Interested Party List

Adelaide Airport
Aero-Care
Aerolineas Argentinas
Air China
Air Mauritius
Air New Zealand
AirAsia X
Airport Coordination Australia (ACA)
Airservices Australia
Alpha Flight Services
Australia Pacific Airports (Melbourne) Pty Ltd
Australian & International Pilots Association
Australian Airports Association (AAA)
Australian Federation of Travel Agents
Australian Industry Group
Australian Licenced Aircraft Engineers Association
Australian Services Union
Australian Tourism Export Council
Australian Transport Safety Bureau (ATSB)
AVIA Flight Services
Board of Airline Representatives of Australia (BARA)
Brisbane Airport Corporation Limited
British Airways
Bureau of Meteorology
Caltex
Canberra Airport
Cathay Pacific Airways
Centre for Asia Pacific Aviation
China Airlines
China Eastern Airlines
China Southern Airlines
CHOICE

Civil Aviation Safety Authority (CASA)
Consolidated Travel Group
Consumer Action Law Centre
Consumers' Federation of Australia
Delta Air Lines, Inc
Department of Infrastructure and Regional Development
Emirates
Etihad Airways
Executive Gourmet
ExxonMobil Aviation
Fed Ex
Gate Aviation
Gate Gourmet
ICMS
International Air Services Commission
Jumpjet Airlines Limited
K.I.S.S. Travel International
LAN Airlines
Malaysia Airlines
Melbourne Airport
Menzies Aviation
National Tourism Alliance
Northern Territory Airports Pty Ltd
Patrick Air Services
Perth Airport Pty Ltd
Qatar Airlines
Queensland Airports Limited
Regional Aviation Association of Australia (RAAA)
Regional Express (Rex)
Senator Nick Xenophon
Singapore Airlines Ltd
Solomon Airlines
Sydney Airport Corporation Limited

Tiger Airways Australia Pty Limited
Toll Dnata
Tour Hosts Pty Limited
Tourism Australia
Tourism NSW
Tourism Queensland
Tourism Victoria
Tourism WA
Transport Workers Union
United Airlines
Virgin Australia Pty Ltd
Virgin International Pilots Association
Wymap Group