



**Australian  
Competition &  
Consumer  
Commission**

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)

Our Ref: 57520  
Contact Officer: Natalie Plumridge  
Contact Phone: 03 9658 6523

19 June 2015

## **Sent by email**

Dear Sir/Madam

### **ihail Pty Ltd application for authorisation [A91501] - interested party consultation**

The Australian Competition and Consumer Commission (the ACCC) has received an application for authorisation from ihail Pty Ltd. The ACCC invites you to comment on the application. Please see the ACCC's online publication [Authorisation process - the basics](#) for a summary of the authorisation process and how to make a submission to the ACCC.

### **The application for authorisation**

ihail Pty Ltd seeks authorisation for a joint venture between a number of Australian taxi companies and other operators to launch the ihail smartphone application within the Australian market.

The ihail smartphone application will allow consumers to hail the closest available taxi (from taxi companies that choose to participate in ihail) to the consumer's position regardless of the brand or ownership of the taxi. At the conclusion of a job booked through the ihail app the taxi driver will inform ihail Pty Ltd of the value of the fare to be charged to the consumer. ihail Pty Ltd states that it does not have any involvement in setting the prices that individual taxi companies charge to consumers.

A full copy of the application for authorisation is available on the ACCC's website [<www.accc.gov.au/AuthorisationsRegister>](http://www.accc.gov.au/AuthorisationsRegister).

### **Interim authorisation**

ihail Pty Ltd has also requested interim authorisation to:

- execute the ihail Holdings documents (specifically, the Shareholder's Agreement and Company Constitution)
- commence the launch of the ihail smartphone application within the Australian market

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.

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 invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements. You are also free to comment on any other issue you consider relevant to the ACCC's assessment.

If you intend to provide a submission in relation to ihail Pty Ltd's application for interim authorisation, please do so by **3 July 2015**. If you intend to provide a submission in relation to the substantive application, please do so by **10 July 2015**. Submissions should be emailed to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) with the subject "A91501 – ihail Pty Ltd – submission".

Alternatively, if you would like to provide comments orally, please contact Natalie Plumridge on 03 9658 6523 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 online publication <[Guidelines for excluding information from the public register](#)>.

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

### **Timetable**

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

<b>26 May 2015</b>	Lodgement of application and supporting submission.
<b>17 June 2015</b>	Ihail Pty Ltd provided an additional submission confirming the scope of the conduct the subject of the application.
<b>19 June 2015</b>	Public consultation process begins.
<b>3 July 2015</b>	Closing date for submissions from interested parties on interim authorisation.
<b>10 July 2015</b>	Closing date for submissions from interested parties in relation to the application.

<b>July 2015</b>	ACCC decision regarding interim authorisation.
<b>July 2015</b>	Applicant responds to issues raised in the public consultation process.
<b>August/September 2015</b>	Draft determination.
<b>September 2015</b>	Public consultation on draft determination including any conference if called.
<b>October/November 2015</b>	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. 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 application.

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 Natalie Plumridge on 03 9658 6523 or [adjudication@accc.gov.au](mailto:adjudication@accc.gov.au).

Yours sincerely



Gavin Jones  
Director  
Adjudication

# **Ihail Pty Ltd - Authorisation - A91501** **Interested Party List**

Silver Top Taxi	13 CABS Victoria
Black and White Cabs Pty Ltd	West Suburban Taxis Pty Ltd
Yellow Cabs (Qld) Pty Ltd	Gold Coast Cabs
Suburban Taxis	Legion Cabs
Mobile Tracking and Data Pty Ltd	St George Cabs
New South Wales Taxi Council	Adelaide Independent Taxis
Cabcharge Australia Limited	Yellow Cabs Adelaide
Gold Coast Cabs	Suburban Taxis
Taxi Services Commission (Vic)	Swan Taxis
Essential Services Commission (Vic)	West Coast Cabs
Department of Transport and Main Roads (Qld)	Rainbow Taxis
Department of Transport (NSW)	Shepparton Taxis
NSW IPART	Yellow Cabs Victorian (Warrnambool)
Department of State Growth - Transport (TAS)	Echuca Moama Taxi Group
Office of the Tasmanian Economic Regulator	13 CABS (Yarra Valley)
Department of Planning, Transport and Infrastructure (SA)	Ballarat Taxis
Department of Transport (WA)	Australian Taxi Drivers Association
Economic Regulation Authority (WA)	Australian Taxi Industry Association
Territory and Municipal Services (ACT)	Taxi Council South Australia
Department of Transport (NT)	Vic Taxi Association
Ingogo	Taxi Council Queensland
goCatch	Taxi Council of Northern Territory
Uber	Taxi Council of Western Australia
Cabbiexpress International Limited	Consumer Action Law Centre
MPOS Australia Pty Ltd	CabIT
National Billing Group Pty Ltd t/as Cabfare	National Seniors Australia
Department of Veterans' Affairs	