



**Australian  
Competition &  
Consumer  
Commission**

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**Sent by email**

Dear Sir/Madam

**ihail Pty Ltd application for authorisation [A91501] – further amendments to the ihail arrangements and invitation to provide a submission**

I refer to the ACCC's most recent letter of 10 November 2016 which invited you to comment on proposed amendments to the ihail arrangements in response to the ACCC's draft determination of 12 October 2015.

On 4 February 2016 ihail provided a further submission to the ACCC which contains additional changes to the proposed ihail arrangements for which it seeks authorisation. This latest submission also confirms some of the original revisions it proposed in November 2015.

As you are aware, the ACCC's draft determination proposed to deny authorisation to the ihail joint venture between a number of Australian and international taxi networks and other participants in the taxi industry to launch and operate the ihail smartphone taxi booking app.

You are invited to provide a submission in relation to the latest revisions proposed by ihail to the operation of its taxi booking app.

The ACCC is required to make a final decision in this matter by 25 March 2016. This deadline cannot be extended. Given the tight timeframes involved, please provide any additional submissions by **Friday, 12 February 2015**.

**Proposed changes to ihail's application for authorisation**

In summary, ihail advises that the following changes will be made to the proposed ihail arrangements:

- enabling users to make in-car payment for bookings made through the app (as proposed in November 2015)
- allowing users to select their preferred taxi network as part of the booking process (as proposed in November) and
- where taxi networks sign up to the ihail app, drivers belonging to that network will be required to individually 'opt-in' to receive ihail bookings through the existing network dispatch system (this is a new change proposed by ihail).

Further, ihail submits that it no longer seeks authorisation for the 'priority dispatch payment function' within the app because it considers that offering such a service does not

contravene competition laws. It advises that it would like to retain the right to introduce this function in the future.

A full copy of ihail's latest submission which outlines its proposed changes to the arrangements in more detail is enclosed. This submission also attaches a copy of a Frontier Economics Report prepared for ihail. These documents are also available from the 'Submissions' link on the ACCC's website [www.accc.gov.au/AuthorisationsRegister](http://www.accc.gov.au/AuthorisationsRegister).

### **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 revised arrangements.

If you intend to provide a submission, please do so by **Friday 12 February 2016**. Given the significant amount of public consultation that has already been undertaken to date, as well as the tight timeframes involved, you might like to confine your comments to what impact, if any, the newest changes proposed by ihail have on the likely public benefits or detriments.

The ACCC will take into account previous submissions received from interested parties in relation to the changes proposed by ihail in November 2015.

Submissions should be emailed to [adjudication@accc.gov.au](mailto:adjudication@accc.gov.au) with the subject "A91501 – ihail Pty Ltd – submission".

Alternatively, if you would like to provide comments orally, please contact Jaime Martin on 03 9290 1477 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 forward this letter to any other party who may wish to make a submission to the ACCC regarding the applications.

### **Timetable**

The ACCC has revised the public indicative timetable for its consideration of this matter to reflect these latest developments.

<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>12 October 2015</b>	Draft determination.
<b>26 October 2015</b>	Closing date for submissions in response to the ACCC's draft determination.
<b>6 November 2015</b>	Submission received from Applicant, including proposed changes to the arrangements for which authorisation is sought.
<b>10 November 2015</b>	Public consultation process in relation to revised arrangements commences.
<b>2 December 2015</b>	ACCC information request to Applicant.
<b>8 December 2015</b>	Closing date for submissions from interested parties in relation to the revised ihail arrangements.
<b>4 February 2016</b>	Submission received from Applicant which responds to ACCC information request, including further proposed changes to the arrangements for which authorisation is sought.
<b>12 February 2016</b>	Closing date for submissions from interested parties in relation to the revised ihail arrangements.
<b>March 2016</b>	Final determination.

This letter has been laced on the ACCC's public register. If you wish to discuss any aspect of this matter, please contact Ms Jaime Martin on (03) 9290 1477 or at [adjudication@accc.gov.au](mailto:adjudication@accc.gov.au).

Yours sincerely



Gavin Jones  
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Adjudication