



Australian
Competition &
Consumer
Commission

Our ref: 61387
Your ref: ACW/CW/381719/1
AUM/1214566561.1
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13/12/2016

Simon Uthmeyer
Partner
DLA Piper Australia

Sent by email: Simon.Uthmeyer@dlapiper.com Alec.White@dlapiper.com

Dear Mr Uthmeyer

Applications for authorisation A91563 & A91564 from Etihad Airways PJSC and Air Serbia AD - request for material to be excluded from the public register

I refer to your submission regarding the above applications for authorisation lodged with the Australian Competition and Consumer Commission (the ACCC) on 7 December 2016.

I have considered your client's request that the confidential version of the submission, inclusive of Annexure A, be excluded from the ACCC's public register.

As you are aware, the ACCC is generally required under section 89 of the *Competition and Consumer Act 2010* (the Act) to place documents provided to it in relation to an application for authorisation on the ACCC's public register. The Act provides that a person submitting a document in relation to an authorisation application may request that the document or parts thereof be excluded from the public register by reason of the nature of certain information contained in the document.

As a person authorised to make a decision for and on behalf of the ACCC in relation to such a request I advise that the confidential version of your clients' submission will not be placed on the public register.

With respect to the information described above that your clients seek to have excluded from the public register, the ACCC will not disclose this information to any third parties, other than the ACCC's legal and economic advisors, without first obtaining your written consent or unless compelled to do so by law.

You also provided a public version of your client's submission. This version will be placed on the public register in the form it was provided to the ACCC. This letter will also be placed on the public register.

Should you have any queries in relation to this matter, please do not hesitate to contact Kathryn Burela on 03 9290 1474.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D Jones', with a stylized flourish at the end.

David Jones
General Manager
Adjudication