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15/02/2017

Via email

Dear Sir / Madam

### **Etihad and Air Serbia applications for authorisation A91563 & A91564 - draft determination & interim authorisation**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the applications for authorisation lodged by Etihad and Air Serbia on 7 December.

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.

The applicants seek authorisation for a Commercial Cooperation Agreement to allow for coordination of pricing, scheduling and marketing activities and other co-operative activities.

#### **Draft determination & interim authorisation**

A copy of the ACCC's draft determination and summary of its reasons is attached.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for ten years.

As set out in the draft determination, the ACCC has also granted interim authorisation to give effect to the Co-operation Agreement.

#### **Next steps**

Once the ACCC issues a draft determination, the Applicant or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **3 March 2017**. Submissions should be emailed to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) with the subject "A91563 & A91564 – Etihad & Air Serbia – submission".

A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by **3 March 2017**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications.

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

<b>7 December 2016</b>	Lodgement of application and supporting submission.
<b>13 December 2016</b>	Public consultation process begins.
<b>17 January 2017</b>	Closing date for submissions.
<b>15 February 2017</b>	Interim authorisation and Draft determination.
<b>February – March 2017</b>	Public consultation on draft determination including any conference if called.
<b>March – April 2017</b>	Final determination.

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 Saraj Bhullar on (03) 9290 1941 or [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au).

Yours sincerely



Gavin Jones  
Director  
Adjudication Branch