

AUSTRALIAN PEAK SHIPPERS ASSOCIATION INC.

Cert No. A0044418W

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12 January 2006

Mr Scott Gregson
General Manager
Adjudication Branch
Australian Competition & Consumer Commission
Po Box 1199
Dickson ACT 2602

FILE No:
DOC:
MARS/PRISM:

Dear Sir,

RE: CONTAINER LOGISTICS ACTION GROUP (CLAG)

Application for Authorisation.

I refer to your letter dated 20 December 2005 in relation to the above application.

The Australian Peak Shippers Association Inc. (APSA) is the designated peak shipper body under Part X of the Australian Trade Practices Act 1974 and represents Australia's Liner Shipping exporters generally.

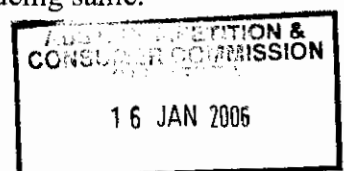
We have read the submission by CLAG and fully support its application for authorisation in order that CLAG can negotiate with the waterfront duopoly of P & O Ports and Patrick Stevedores at Port Botany.

APSA is also considering applying for authorisation so that it can deal with P & O Ports and Patrick Stevedoring in Melbourne.

You may be aware that APSA has made a formal complaint with ACCC in relation to dealing with the Australia to Europe Liner Shipping Association (AELA) in that AELA states that it is unable to provide details of its stevedoring agreement with P & O Ports because of confidentiality.

APSA has claimed that AELA has breached its responsibility under S.10.41 of the TPA.

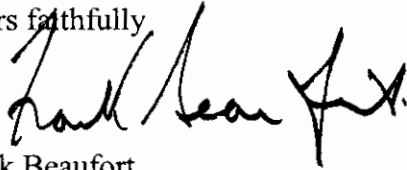
There is no doubt that trucking companies, freight forwarders, customs brokers, importers and exporters have become frustrated in that P & O Ports and Patrick Stevedoring regularly impose new charges without providing details or justification for introducing same.



It is a great pity that a third stevedore has not been able to establish itself in Australian ports to provide some competition to the waterfront duopoly and part of the reason is that Australian Port Authorities have supported the 'cosy' duopoly.

In summary APSA fully supports the application by CLAG and trust it will receive favourable consideration by ACCC.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Frank Beaufort', written in a cursive style.

Frank Beaufort
Executive President