



Australian
Competition &
Consumer
Commission

GPO Box 3131 Canberra ACT 2601
23 Marcus Clarke Street Canberra ACT
tel: (02) 6243 1111 fax: (02) 6243 1199
www.accc.gov.au

NEWS RELEASE

ACCC PROPOSES TO AUTHORISE COLLECTIVE BARGAINING BY ABBOT POINT COAL MINERS WITH QR NETWORK

The Australian Competition and Consumer Commission proposes to allow coal miners to collectively bargain with QR Network for access to its below rail infrastructure in the Newlands, Blackwater and Goonyella coal rail systems. Coal from the Bowen Basin mines is to be exported through the Port of Abbot Point.

Authorisation is sought by Carabella Resources Limited, Macarthur Coal Limited, Middlemount Coal Pty Limited, New Hope Corporation Limited, Peabody Energy Australia Pty Limited and Rio Tinto Coal Australia Pty Limited. The Port of Abbot Point is 960km north of Brisbane.

"The ACCC considers that these arrangements will result in significant transaction cost savings and help to avoid potential delays in the terminals' construction and new coal export earnings," ACCC chairman Rod Sims said.

"The ACCC is satisfied that the voluntary nature of the arrangements, the limited composition of the collective bargaining group and the limited scope of the negotiations will mean that any potential detriment is minimal."

The ACCC is proposing to authorise the arrangements for 15 years. This will allow collective negotiations with QR Network during development of the North Queensland Coal Terminal and Rio Tinto Terminal and for the Applicants to give effect to any agreements entered into for an initial ten year term.

Authorisation provides statutory protection from court action for conduct that might otherwise raise concerns under the competition provisions of the *Competition and Consumer Act 2010*. Broadly, the ACCC may grant an authorisation when it is satisfied that the public benefit from the conduct outweighs any public detriment.

More information about the application for authorisation, including a copy of the ACCC's draft determination, will be available on the ACCC website at <http://www.accc.gov.au/content/index.phtml/itemId/1007445/fromItemId/278039>

Media inquiries

Mr Rod Sims, chairman, (02) 6243 1108 or 0408 995 408

General inquiries

Infocentre: 1300 302 502

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