Australian Competition & Consumer Commission

NEWS RELEASE

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ACCC AUTHORISES COLLECTIVE BARGAINING BY QUEENSLAND COAL MINERS

The Australian Competition and Consumer Commission has authorised Queensland coal miners to collectively bargain with Dudgeon Point Project Management (DPPM) and QR Network in order to support the miners' coal export programs.

Coal from Bowen Basin and Galilee Basin mines is to be exported through DPPM's proposed coal terminal at Dudgeon Point (around 960km north of Brisbane in the Port of Hay Point) and coal terminals at Abbot Point (around 1,160km north of Brisbane).

Authorisation was sought by Carabella Resources Limited, Macarthur Coal Limited, Middlemount Coal Pty Limited, New Hope Corporation Limited, Peabody Energy Australia Pty Limited to collectively bargain with DPPM for access to its terminal.

These coal miners and Rio Tinto Coal Australia Pty Limited also sought two authorisation collectively bargain with QR Network for access to below rail infrastructure in order to service both the DPPM terminal and the coal terminals at Abbot Point.

"The ACCC considers that all three arrangements will result in significant transaction cost savings and help to avoid potential delays in the construction of various coal terminals and new coal export earnings," Acting ACCC chairman Dr Michael Schaper 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 authorised all three arrangements for 15 years. This will allow collective negotiations with DPPM and QR Network during the development of the coal terminals 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 final determinations, will be available on the ACCC website at www.accc.gov.au/AuthorisationsRegister

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