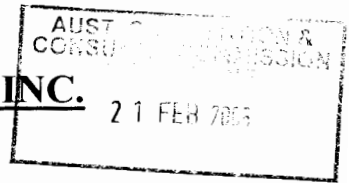


AUSTRALIAN PEAK SHIPPERS ASSOCIATION INC.



Cert No. A0044418W

1ST FLOOR, 68-72 YORK STREET
SOUTH MELBOURNE 3205

ABN 20 947 496 918

PO BOX 244
SOUTH MELBOURNE 3205

Phone: (03) 9690 9080
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20 February 2006

Mr David Salisbury
Director – Rail and Waterfront
Transport and Prices Oversight
Australian Competition and Consumer Commission
GPO Box 520
MELBOURNE 3001

Dear Sir,

RE: APSA / AELA OTHCS

Thank you for your letter dated 16 February 2006 in relation to the above.

I respond to your various questions raised in your letter.

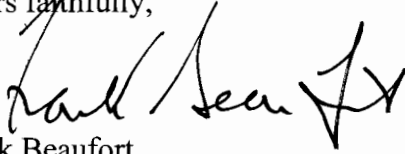
1. Generally APSA does require 30 days notice of increases to charges. However in this case the Lines had been paying the increased charges since 1 April 2005 and APSA was prepared to accept the lesser notices as allowed under s.10.41 (2).
2. APSA did not signify to AELA that less than 30 days notice was acceptable as the practice of accepting less than 30 days notice in cases such as this was set some years ago.
3. Lloyds Daily Commercial News published AELA's notice to shippers on 21 July 2005 stating the increase to OTHCS would take effect from 25 July 2005.
4. No discussion took place between AELA and APSA other than in faxes of which ACCC has copies.
5. There are two issues here. One is future negotiations between APSA and Stevedores in which case the Shipping Lines would not be involved in OTHCs. Secondly if Shipping Lines were to continue to negotiate OTHCs with Stevedores APSA would hope to access these Agreements through a confidentiality agreement with the Lines.
APSA does not see a conflict of interest in either of these issues.

FILE No.
DOC D06/9675
MARS/PRISM

6. It would be a case of either APSA negotiating directly with Stevedores as OTHCS, or Shipping Lines negotiating on OTHCS. It would not be both.

If there are further questions arising out of this subject please contact me.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Frank Beaufort". The signature is written in a cursive style with a large, stylized initial "F" at the end.

Frank Beaufort
Executive President

NOTICE TO SHIPPERS**AUSTRALIA TO EUROPE LINER
ASSOCIATION
NOTICE TO SHIPPERS
BUNKER SURCHARGE - EUROPE**

As a result of the weekly Bunker review conducted in accordance with Tariff procedures, Member Lines wish to announce the introduction of a revised Bunker Surcharge to Europe of positive 30.65% with effect from 21 July, 2005.

The first vessels currently to attract the Bunker Surcharge will be:

Sydney Express	V5126
Contship Rome	V5523

And all subsequent /substitute sailings from the Australian ports.

The Australian Peak Shippers Association has been informed accordingly.

For and behalf of AELA Members Lines: CMA CGM, Compagnie Maritime Marfret, Consortium Hispania Lines, Contship Container Lines, a division of CP Ships (UK) Ltd., Hapag-Lloyd Container Line GmbH, P&O Nedlloyd Ltd., Hamburg Sud.

AELA Secretariat
July, 2005.

14-7-05

NOTICE TO SHIPPERS**AUSTRALIA TO EUROPE LINER
ASSOCIATION (AELA)
NOTICE TO SHIPPERS
AUSTRALIAN ORIGIN TERMINAL
HANDLING CHARGE (OTHC)**

The AELA Member Lines announce that the following increased Origin Terminal Handling Charges will apply to all dry and refrigerated containers of cargo received into the carrying Line's control on/from 28 July, 2005 -

Sydney	Dry	A\$185/container
	Reefer	A\$318/container
Melbourne	Dry	A\$185/container
	Reefer	A\$318/container
Brisbane	Dry	A\$185/container
	Reefer	A\$318/container
Fremantle	Dry	A\$185/container
	Reefer	A\$318/container

These revised charges reflect increased costs implemented by the Lines' stevedores, from 1 April, 2005.

The first vessels to attract these revised charges will be:

PONL Remuera (Voy. 5127)	ETA Melbourne 1 August, 2005
PONL Yara Valley (Voy. 5525)	ETA Sydney 2 August, 2005

The Australian Peak Shippers' Association (APSA) has been advised of these increased OTHC's.

For and on behalf of: AELA Member Lines: CMA CGM, Compagnie Maritime Marfret, Consortium Hispania Lines, Contship Container Lines (a division of CP Ships [UK] Ltd), Hamburg Sud, Hapag-Lloyd Container Line GmbH, P&O Nedlloyd Ltd.

Shipping Australia
Sydney
13 July, 2005

21-7-05

NOTICE TO CUSTOMERS

WALLENIUS WILHELMSSEN

**NOTICE TO CUSTOMERS
UNITED STATES TO OCEANIA
EMERGENCY FUEL ADJUSTMENT FACTOR**

As a consequence of a sustained increase in Bunker fuel prices, Wallenius Wilhelmsen Lines wishes to advise of an adjustment to the Emergency Fuel Adjustment Factor (EFAF) on cargo loaded from the United States into Australia, New Zealand, Tahiti and New Caledonia.

The revised EFAF will be applied at 12.50% for Auto, Ro/Ro and Break Bulk cargo. The EFAF for 20' containers will now be set at US\$254 per unit and for 40' containers at US\$508 per unit until further notice.

The effective date will be August 5th 2005 and will apply on cargo received on/after this date.

For further information regarding this advice, please contact Customer Service on the numbers listed below;

Australia:	Phone 1300 885 995
New Zealand:	Phone 9356 2370

July 8th 2005

21/7/05

NOTICE TO SHIPPERS**AUSTRALIA TO EUROPE LINER
ASSOCIATION (AELA)
NOTICE TO SHIPPERS
AUSTRALIAN ORIGIN TERMINAL
HANDLING CHARGE (OTHC)**

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Shipping Australia
Sydney
13 July, 2005

21-7-05