



Our ref: AA1000657
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5 March 2024

By email

Dear Interested Party

Re: Water Services Association of Australia Limited - Application for authorisation AA1000657 - Supplementary submission by the Applicants

On 2 March 2024, the Australian Competition and Consumer Commission (the **ACCC**) received a supplementary submission from the Water Services Association of Australia (the **Applicant**).

The Applicant provided the ACCC a revised version of its Proposed Conduct and further supplementary information. The Applicant has narrowed the Proposed Conduct and is now seeking authorisation for itself and Current and Future Members to engage in the following activities for the purposes of improving security of supply of gaseous chlorine in Australia for the Australian water authorities:

- a) collective negotiation with suppliers to import gaseous chlorine into Australia;
- b) collective negotiation with suppliers of chlor-alkali products to construct a new gaseous chlorine bottling and drumming facility in Australia, including collective negotiation of supply contracts;
- c) sharing information about the volume of gaseous chlorine required by Current or Future WSAA Members or the price of acquiring gaseous chlorine for the purposes of (a) and (b) above; and
- d) giving effect to contracts recording any terms collectively negotiated under (a) or (b) above

(the **Proposed Conduct**).

Interim authorisation is also sought for the Proposed Conduct, except that it would be limited to (a) to (c) above. Current and Future Members would not give effect to any contracts recording collectively negotiated terms until it received final authorisation.

Submissions are not required. However, please advise us if the revised Proposed Conduct gives rise to any new concerns. We also note that we will invite submissions on the draft determination which is anticipated in April 2024.

A full copy of the application for authorisation is available on the ACCC's authorisations [public register](#).

Making a submission

If you intend to provide a submission, please do so by **15 March 2024**. If you require additional time to make a submission, please advise us with reasons as soon as possible. Submissions after the due date (or after any extension granted) may not be taken into account.

Submissions should be lodged via the web form accessible on the public register page for this matter. Alternatively, if you would like to provide comments orally, please contact Naomi Lizak via the details at the end of this letter.

Your submission **will** be placed on the ACCC's [authorisations public register on the internet](#) unless you have made a request (with reasons) for us to exclude part or all of the submission from the public register, (see [Guidelines for Excluding Information from the Public Register for more information on how to make a request and how we assess requests](#)).

This letter has been placed on the ACCC's public register. If you have any questions or wish to discuss any aspect of this matter, please do not hesitate to contact Naomi Lizak on (03) 9290 1493 or exemptions@acc.gov.au.

Yours sincerely



Naomi Menon
Director
Competition Exemptions