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**From:** Dayna Field [REDACTED]  
**Sent:** Thursday, 27 August 2020 3:56 PM  
**To:** Adjudication  
**Cc:** Merridy Woodroffe; Susan Schneider  
**Subject:** RE: ACCC draft determination on Rex authorisation [SEC=OFFICIAL]

**Categories:** Submission

Dear Andrew

Thank you for the opportunity to comment on the ACCC's draft determination in respect of Regional Express Pty Ltd's application for authorisation.

I can confirm that subject to the below clarification, Virgin Australia supports the application. We note that VA has not engaged in any coordinated behaviour with REX or QF under the Interim Authorisation in respect of the VA routes (Sydney-Albury and Melbourne-Mildura) as those routes remain suspended.

Could you please confirm that REX will be required to undertake all the Reporting Conditions obligations? We seek this clarity as the draft Reporting Condition in para 5.14 specifies that the obligation will be the Applicant's (REX); however para 4.41 states that "*...the ACCC proposes to impose the following condition requiring the **Participating Airlines** to provide monthly updates to the ACCC, to notify the ACCC of any developments in relation to the Proposed Conduct, and to provide information relating to the Proposed Conduct to the ACCC upon request.*" [emphasis added]

Virgin Australia is not currently participating in any authorised conduct and does not currently have the resources to commit to further reporting obligations due to the current operational and commercial environment. We seek your confirmation that the ACCC's intent is that REX, as the Applicant, will be solely responsible under the proposed Reporting Condition.

Kind regards

Dayna

**Dayna Field** | Chief Legal, Risk and People Officer

P [REDACTED] | M [REDACTED]  
E [REDACTED]