



COMMONWEALTH OF AUSTRALIA

Competition and Consumer Act 2010 (Cth)

IN THE AUSTRALIAN COMPETITION TRIBUNAL

File No: ACT 2 of 2018

Re: Application by Port of Newcastle Operations Pty Ltd under section 44ZP of the *Competition and Consumer Act 2010 (Cth)* for review of the arbitration determination by the Australian Competition and Consumer Commission in relation to an access dispute between Glencore Coal Ltd and Port of Newcastle Operations Pty Ltd

Applicant: Port of Newcastle Operations Pty Ltd

AND

File No: ACT 3 of 2018

Re: Application by Glencore Coal Assets Australia Pty Ltd under section 44ZP of the *Competition and Consumer Act 2010 (Cth)* for review of the arbitration determination by the Australian Competition and Consumer Commission in relation to an access dispute between Glencore Coal Ltd and Port of Newcastle Operations Pty Ltd

Applicant: Glencore Coal Assets Australia Pty Ltd

DIRECTIONS

TRIBUNAL: Justice Middleton (President), Mr Shogren, Dr Abraham

DATE OF ORDER: 2 April 2019

WHERE MADE: Melbourne

THE TRIBUNAL NOTES THAT:

The Tribunal, Port of Newcastle Operations Pty Ltd, Glencore Coal Assets Australia Pty Ltd and the Australian Competition and Consumer Commission agree that:

1. Pursuant to s 44ZZOA(5), the period between the date this agreement is endorsed by the Tribunal, being the date of this direction, and 15 July 2019 be disregarded for the

purposes of working out the expected period for a decision on review in Proceeding ACT 2 of 2018 and Proceeding ACT 3 of 2018.

Date entered: 2 April 2019



A handwritten signature in blue ink, consisting of a stylized 'A' followed by a 'U'.

REGISTRAR
Australian Competition Tribunal