



**AUSTRALIAN COMPETITION TRIBUNAL**

**THE HON JUSTICE JOHN E MIDDLETON  
PRESIDENT  
JUDGES' CHAMBERS  
FEDERAL COURT OF AUSTRALIA  
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**MEMORANDUM**

**TO:** Justice O'Bryan, Deputy President

**FROM:** Justice Middleton, President

**DATE:** 15 March 2021

**SUBJECT:** **Application for review under s 44K(2) of the *Competition and Consumer Act 2010* (Cth) of the decision of the Minister not to declare a service provided by Port of Newcastle Operations Pty Ltd**

**Applicant: New South Wales Minerals Council (ACT File No 1 of 2021)**

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Pursuant to s 39(2) of the *Competition and Consumer Act 2010* (Cth) I give direction to you as Deputy President to exercise any powers in respect to matters of procedure in the above proceedings before the Australian Competition Tribunal.