



AUSTRALIAN COMPETITION TRIBUNAL

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

TO: Justice Michael O'Bryan
Dr Darryn Abraham
Ms Diana Eilert

FROM: Justice Middleton, President of the Australian Competition Tribunal

DATE: 30 November 2020

SUBJECT: Application for authorisation AA1000473 lodged by New South Wales Minerals Council on behalf of itself, certain coal producers that export coal through the Port of Newcastle, and mining companies requiring future access through the Port, and the determination made by the ACCC on 27 August 2020

Applicant: Port of Newcastle Operations Pty Limited (ACT 2 of 2020)

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1. The constitution of the Australian Competition Tribunal for the purpose of the hearing and determination of the above application shall be:

Justice Michael O'Bryan
Dr Darryn Abraham
Ms Diana Eilert

2. The presiding member of the Tribunal as constituted above shall be Justice Michael O'Bryan.