



Australian Government

Department of Infrastructure, Transport,
Regional Development and Communications

FORM 5 | REGULATION 43

COMPETITION AND CONSUMER ACT 2010

COMPETITION AND CONSUMER REGULATIONS 2010

OFFER TO GIVE UNDERTAKING (Regulation 43)

Name of applicant(s):

Address of applicant(s):

Postcode:

Phone number of applicant(s):

Country Code Area Code Local Number

+

Email address of applicant(s):

Title of Conference Agreement:

Preferred abbreviation (if any):

Name of ocean carrier (including trading names):

Regulation 43(2) The following particulars are specified for the purposes of Form 5.

Regulation 43(2)(a) Provide a brief description of the terms of the undertaking:

Regulation 43(2)(b) Describe the trade area or trade route to which the undertaking will relate:

Regulation 43(2)(c) What is the proposed date from which the undertaking will operate?

Regulation 43(2)(d) Provide the names of the parties to whom the undertaking will apply:

Provision of the Act under which the offer is made: (please select one of the following)

Section 10.49: ____ Section 10.59: ____ Section 10.64: ____

CONTINUED 

Regulation 43(2)(e) If the offer to give an undertaking is made under section 10.49 of the Act, please provide the following information:

(i) the title of the registered conference agreement.

(ii) the date of final registration of the agreement.

Regulation 43(2)(f) If the offer to give an undertaking is made under section 10.49 or 10.59 of the Act, please provide either:

(i) the date and title of the Commission's report under section 10.46, 10.47, 10.48, 10.56, 10.57 or 10.58 of the Act that led to the offer to give the undertaking; or

Date

Title

(ii) the date of the reference to the Commission under section 10.46, 10.47, 10.48 or 10.56, of the Act of the application to the Commission under section 10.48 or 10.58 of the Act.

Date

Title

Regulation 43(2)(g) If the offer to give an undertaking is made under section 10.64 of the Act, please answer the following questions:

(i) What was the date of the reference to the Commission, and the report, under section 10.63 of the Act?

Date

Title

(ii) If the offer is accepted will the ocean carrier, if asked by the Registrar, give such information as is necessary to show that the ocean carrier is complying with the terms of the offer? Yes: No:

Signature of parties:

Date

Privacy Statement

The Department of Infrastructure, Transport, Regional Development and Communications (the department) is collecting personal information for the purpose of registering conference agreements under Part X of the *Competition and Consumer Act 2010*. The individual completing this form may provide personal information about another individual when completing this form. The individual completing this form should ensure that the individual to whom the personal information relates is made aware of the contents of this privacy statement.

If you do not provide the information requested, your application may not be processed.

Personal information collected in this form may be:

- used by the department; or
- disclosed when required or authorised by law; or
- disclosed to other parties (e.g. government agencies, including the Australian Competition and Consumer Commission); or
- for a purpose not listed above, disclosed with your consent.

The department's privacy policy, available at <www.infrastructure.gov.au>, contains information about how an individual may access the personal information that is held by the department and seek the correction of such information. The privacy policy contains information about how an individual may complain about a breach of the Australian Privacy Principles, and how the department will deal with such a complaint. The Privacy Officer can be contacted on (02) 6274 6495.

Giving false or misleading information is a serious offence. Offences are set out under Part 7.4 of the Criminal Code for giving false or misleading information in applications or documents.