



# **Competition and Consumer (Industry Code— Port Terminal Access (Bulk Wheat)) (Commodity Ag) Determination 2023**

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The Australian Competition and Consumer Commission make the following determination.

Dated 28 May 2023

[signed]

Gina Cass-Gottlieb  
Chair  
Australian Competition and Consumer Commission

Australian Competition and Consumer Commission



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## 1 Name

This instrument is the *Competition and Consumer (Industry Code—Port Terminal Access (Bulk Wheat)) (Commodity Ag) Determination 2023*.

## 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under subclause 5(2) of Schedule 1 to the *Competition and Consumer (Industry Code—Port Terminal Access (Bulk Wheat)) Regulation 2014*.

## 4 Definitions

Note: A number of expressions used in this instrument are defined in the Code, including the following:

- (a) ACCC;
- (b) bulk wheat;
- (c) exempt service provider
- (d) port terminal facility
- (e) port terminal service
- (f) port terminal service provider.

In this instrument:

**Code** means the *Port Terminal Access (Bulk Wheat) Code of Conduct* as set out in Schedule 1 to the *Competition and Consumer (Industry Code—Port Terminal Access (Bulk Wheat)) Regulation 2014*.

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## **5 Determination**

Under subclause 5(2) of the Code, the ACCC determines that Consolidated Ag Pty Ltd (ACN 164 749 151) as trustee of The Cadalelup Trust trading as Commodity Ag, is an exempt service provider of port terminal services provided by means of its port terminal facility at Albany, Western Australia.