

BETWEEN:

PT Garuda Indonesia Ltd (ARBN 000 861 165)

Appellant

and

Australian Competition and Consumer Commission

Respondent



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APPELLANT'S CHRONOLOGY

Part I:

I certify that this chronology is in a form suitable for publication on the internet.

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Part II:

DATE	EVENT	REFERENCE
2 Dec 1920	<i>Air Navigation Act 1920 (Cth)</i> comes into effect	
25 Nov 1936	Air Navigation Regulations 1936 commence	
7 Dec 1944	<i>Convention on International Civil Aviation</i> concluded at Chicago	
16-19 Apr 1945	International Air Transport Operators Conference at Havana, at which IATA was founded	
11 Feb 1946	<i>Agreement between the United States and United Kingdom Relating to Air Services</i> concluded at Bermuda	
11 Jun 1946	<i>Agreement between the Governments of Australia and Canada for Air Services between Australia and Canada</i>	
3 Dec 1946	<i>Air Transport Agreement between the Government of the Commonwealth of Australia and the Government of the United States of America</i>	
2 Apr 1947	<i>Air Navigation Act 1947 (Cth)</i> receives royal assent and further amends <i>Air Navigation Act 1920 (Cth)</i>	
7 Aug 1947	Air Navigation Regulations 1947 gazetted: see Regulations 106, 255 and 258	
11 Dec 1947	<i>Air Navigation Act No. 2 1947 (Cth)</i> receives royal assent and further amends <i>Air Navigation Act 1920 (Cth)</i>	
3 Jun 1949	<i>Agreement between the Government of the Commonwealth of</i>	

	<i>Australia and the Government of Pakistan relating to Air Services, and Exchange of Notes</i>	
11 Jul 1949	<i>Agreement between the Government of the Commonwealth of Australia and the Government of India relating to Air Services, and Exchange of Notes</i>	
12 Jan 1950	<i>Agreement between the Government of the Commonwealth of Australia and the Government of Ceylon for the Establishment of Air Services, and Two Exchanges of Notes</i>	
25 Sep 1951	<i>Agreement between the Government of the Commonwealth of Australia and the Government of the Kingdom of the Netherlands for the Establishment of Air Services</i>	
29 Jul 1952	<i>Agreement between the Government of the Commonwealth of Australia and the Government of the Union of South Africa relating to Air Services between their Respective Territories</i>	
12 Oct 1952	<i>Agreement between the Government of the Commonwealth of Australia and the Government of Egypt for the Establishment of Scheduled Air Services, and Exchange of Notes</i>	
15 Jan 1954	<i>Agreement between the Government of the Commonwealth of Australia and the Government of the Lebanese Republic for the Establishment of Air Services, and Two Exchanges of Notes</i>	
27 Apr 1956	<i>Agreement between the Commonwealth of Australia and Japan for Air Services, and Exchange of Notes</i>	
25 Nov 1957	<i>Exchange of Notes constituting an Agreement between the Government of Australia and the Government of the Union of South Africa relating to Air Services and superseding the Agreement relating to Air Services of 4 November 1955</i>	
26 Nov 1957	<i>Exchange of Notes constituting an Agreement between the Government of Australia and the Government of the Republic of Ireland relating to Air Services</i>	
7 Feb 1958	<i>Agreement between the Government of the Commonwealth of Australia and the Government of the United Kingdom of Great Britain and Northern Ireland for Air Services between and through their Respective Territories</i>	
10 Jan 1959	<i>Agreement between the Commonwealth of Australia and the Federal Republic of Germany relating to Air Transport, and Exchanges of Notes</i>	
29 Sep 1959	<i>Agreement between the Government of the Commonwealth of Australia and the Government of the Federation of Malaya relating to Air Services</i>	
26 Feb 1960	<i>Agreement between the Government of the Commonwealth of Australia and the Government of the Kingdom of Thailand relating to Air Services</i>	
10 Jun 1960	<i>Air Navigation Act 1960 (Cth) receives royal assent and further amends Air Navigation Act 1920 (Cth)</i>	
25 Jul 1961	<i>Agreement between the Government of the Commonwealth of Australia and the Government of New Zealand relating to Air</i>	

	<i>Services</i>	
10 May 1963	<i>Agreement between the Government of the Commonwealth of Australia and the Government of the Italian Republic relating to Air Services</i>	
19 Mar 1964	<i>Agreement between the Government of the Commonwealth of Australia and the Government of Malaysia relating to Air Services</i>	
13 Apr 1965	<i>Agreement between the Government of the Commonwealth of Australia and the Government of the French Republic relating to Air Transport</i>	
31 May 1966	<i>Agreement between the Government of the Commonwealth of Australia and the Imperial Government of Iran for Air Services between their Respective Territories</i>	
22 Mar 1967	<i>Agreement between the Government of the Commonwealth of Australia and the Austrian Federal Government relating to Air Services</i>	
9 Oct 1967	<i>Agreement between the Government of the Commonwealth of Australia and the Government of Malaysia relating to Air Services</i>	
3 Nov 1967	<i>Agreement between the Government of the Commonwealth of Australia and the Government of the Republic of Singapore relating to Air Services</i>	
7 Mar 1969	<i>Agreement between the Government of the Commonwealth of Australia and the Government of the Republic of Indonesia for Air Services Between and Beyond their Respective Territory</i>	
17 Sep 1969	<i>Agreement between the Government of the Commonwealth of Australia and the Government of the Republic of Nauru relating to Air Services</i>	
2 Apr 1970	<i>Agreement between the Government of the Commonwealth of Australia and the Government of the Republic of South Africa relating to Air Services</i>	
10 Jun 1971	<i>Agreement between the Government of the Commonwealth of Australia and the Government of the Kingdom of Greece relating to Air Services</i>	
28 Jan 1972	<i>Agreement between the Government of the Commonwealth of Australia and the Government of Malaysia relating to Air Services</i>	
27 Jun 1972	<i>Agreement Transport Agreement between the Government of the Commonwealth of Australia and the Government of the Republic of the Philippines</i>	
24 Aug 1974	<i>Trade Practices Act 1974 (Cth) receives royal assent</i>	
3 Dec 1974	<i>Air Navigation Act 1974 (Cth) receives royal assent and amends Air Navigation Act 1920 (Cth)</i>	
31 Oct 1975	<i>Agreement between the Government of Australia and the Government of the Socialist Federal Republic of Yugoslavia</i>	

	<i>relating to Air Services</i>	
23 Sep 1976	<i>Air Transport Agreement between the Government of Australia and the Council of Ministers of the Socialist Republic of the Union of Burma</i>	
16 Jun 1977	<i>Trade Practices Amendment Act 1977 (Cth) receives royal assent</i>	
10 Jan 1980	<i>Exchange of Notes constituting an Agreement between the Government of Australia and the Government of the United States of America constituting an Agreement amending the Air Transport Agreement of 3 December 1946, as amended</i>	
8 Dec 1980	<i>Agreement between the Government of Australia and the Government of Papua New Guinea relating to Air Services</i>	
1982	IATA Traffic Handbook published – includes section on Provisions for the Conduct of IATA Traffic Conferences	
24 Mar 1982	<i>Agreement between the Government of Australia and the Government of Fiji for Air Services between and beyond their Respective Territories</i>	
7 Sep 1984	<i>Agreement between the Government of Australia and the Government of the People's Republic of China relating to Civil Air Transport</i>	
14 Nov 1984	<i>Air Navigation Amendment Act (No. 2) 1984 (Cth) commences</i>	
30 Jun 1988	Air Navigation Regulations (Amendment) 1988 gazetted and insert ANR 191	
8 Jun 1989	<i>Air Navigation Amendment Act 1989 (Cth) receives royal assent and amends section 13 of the Air Navigation Act 1920 (Cth)</i>	
30 Jun 1992	<i>Transport & Communications Legislation Amendment Act 1992 (Cth) receives royal assent and amends sections 12 and 13 of the Air Navigation Act 1920 (Cth)</i>	
25 Nov 1993	Air Navigation Regulations (Amendment) 1993 gazetted and inserts ANR 106B to 106F, replaces ANR 109	
12 Dec 1994	International Airline Licence No. 94/218 issued to Garuda Indonesia Airways by Australian Department of Transport	
20 Jul 1995	<i>Competition Policy Reform Act 1995 (Cth) receives royal assent</i>	
20 July 1995	<i>Transport Legislation Amendment Act (No 2) 1995 (Cth) receives royal assent, amending Air Navigation Act 1920 s 12</i>	
14-16 Jan 1997	Special Composite Meeting of Cargo Tariff Coordinating Conferences (CTCC) of IATA in Geneva	[TJ494]
3 Mar 1997	IATA Cargo Committee meeting in Long Beach	
6 Jun 1997	<i>Agreement between the Government of Hong Kong and the Government of the Republic of Indonesia Concerning Air Services</i>	
7 Aug 1997	Resolution 116ss (Mail Vote 875) adopted with intended effect from 1 Oct 1997	[TJ494]

As at 30 Apr 1998	HK CAD refuse HK government approval to implementation in HK of IATA Resolution 116ss	
4-8 May 1998	Composite Meeting of CTCC in Geneva	
1 Dec 1998	Air Navigation Amendment Regulations 1998 (No. 1) gazetted and renumber ANR 106A to ANR 19	
29 Mar 1999	Schedule 3 to Air Navigation Amendment Regulations 1998 (No. 1) commences	
1 Dec 1999	Inclusion of Resolution 116ss as TACT Rule 4.8	
Dec 1999	IATA Fuel Price Index exceeds 130 for two weeks	[TJ498]
4 Jan 2000	Telex from Chairman of Composite Meeting of CTCC to airlines	
6 Jan 2000	Telex from Commercial Director to Cargo Working Group Delegates	
7 Jan 2000	Cathay Pacific emails IATA	
10 Jan 2000	IATA provides CTCC members with fuel index information	
12 Jan 2000	IATA replies to Cathay Pacific's email of 7 Jan 2000	
14 Jan 2000	IATA provides CTCC members with fuel index information.	
28 Jan 2000	IATA applies to US Department of Transport (DoT) for approval of Resolution 116ss	
Feb 2000	Lufthansa commences publishing the IATA Fuel Price Index on its website	
14 Mar 2000	US DoT disapproves Resolution 116ss	[TJ501]
21 Mar 2000	IATA sends memorandum CTC COMP 0265 to CTCC members advising of US DoT disapproval of Resolution 116ss	[TJ502]
Apr 2000	Inclusion of Resolution 116ss as TACT Rule 4.8	
7 Apr 2000	IATA sends memorandum CTC COMP 0267 to CTCC members advising the practice of circulating IATA Fuel Price Index will stop	
14 Apr 2000	IATA sends memorandum to Members of the Cargo Committee	[TJ526]
15-17 May 2000	Composite Meeting of CTCC in Geneva	[TJ503]
29 Sep 2000	Lufthansa commences publishing the Lufthansa Index and Lufthansa Initial Methodology on its website	
20 Dec 2000	Air Navigation Amendment Regulations 2000 (No. 3) gazetted and new Division 2 substituted	
7-8 Aug 2001	Delegations representing the Australian and Indonesian governments meet in Jakarta to discuss air services arrangements pursuant to the 1969 Agreement	
2 Oct 2001	<i>Transport and Regional Services Legislation Amendment</i>	

	<i>(Application of Criminal Code) Act 2001 (Cth) commences</i>	
21-22 Aug 2002	Delegations representing the Australian and Indonesian governments meet in Jakarta to discuss air services arrangements pursuant to the 1969 Agreement	

HONG KONG CHRONOLOGY

DATE	EVENT	REFERENCE
16 Mar 2000	Operating Permit No. DCA/GIA/00/1 issued to Garuda Indonesia by the HK Civil Aviation Department	
17 Oct 2000	Operating Permit No. DCA/GIA/00/2 issued to Garuda Indonesia by the HK Civil Aviation Department	
19 Mar 2001	Operating Permit No. GIA/01/1 issued to Garuda Indonesia by the HK Civil Aviation Department	
3 Oct 2001	BAR CSC meeting at which it was found the airlines reached the October 2001 Hong Kong Insurance Surcharge Understanding to impose an insurance surcharge from 11 October 2001 at the level of HKD 0.50/kg.	[TJ694] – [TJ697]
3 Oct 2001	Chairman of BAR CSC writes to HK CAD re application for ISC	
19 Oct 2001	HK CAD writes to Chairman of BAR CSC approving ISC for three months from 22 October 2001 to 21 January 2002	[TJ695]
24 Oct 2001	Operating Permit No. GIA/01/2 issued to Garuda Indonesia by the HK Civil Aviation Department	
23 Jan 2002	Lufthansa announces revision to Lufthansa Initial Methodology (Lufthansa Methodology).	[TJ535]
24 Jan 2002	Lufthansa (G Ahrens) fax re introduction of revised fuel surcharge methodology	
1 Feb 2002	Emails between G Ahrens (LH) and KK Leung (CX) re “LH new fuel surcharge methodology”	
19 Feb 2002	Lufthansa publishes Lufthansa Index and Lufthansa Methodology on its website from at least this time. Lufthansa continues to publish Lufthansa Index and Lufthansa Methodology on its website. Date of last document is 24 Apr 2006.	
19 Mar 2002	Operating Permit No. GIA/02/1 issued to Garuda Indonesia by the HK Civil Aviation Department	
19 July 2002	HK CAD writes to Chairman of BAR CSC approving BAR CSC application to levy FSC for a period of one year from 19 July 2002	
22 July 2002	Chairman of BAR CSC writes to members notifying the approval of the HK CAD of FSC mechanism and calling a meeting on 23 July 2002	
23 July 2002	BAR CSC meeting at which it is found members agree to commence charging FSC effective 1 August 2002 in accordance with Lufthansa Methodology in relation to the	[TJ595]

	alleged 2002 Hong Kong Lufthansa Methodology Understanding . Garuda was held not to be at the meeting or a party to this understanding.	
1 Aug 2002	<i>GA charges FSC HKD0.40/kg on cargo to Australia from at least this date until 12 September 2002</i>	
6 Aug 2002	Chairman of BAR CSC writes to HK CAD advising of decision to implement FSC of HKD0.40kg on cargo to Australia from 1 August 2002 found to reflect the Hong Kong Imposition Understanding	[TJ626]
21 Aug 2002	Chairman of BAR CSC provided HK CAD a list of airlines which are found to be parties to the Hong Kong Imposition Understanding	[TJ629]
5 Sep 2002	Chairman of BAR CSC writes to HK CAD re increase in FSC to HKD0.80/kg on cargo to Australia effective 13 September 2012 found to reflect the Hong Kong Imposition Understanding	[TJ631]
13 Sep 2002	<i>GA charges FSC HKD0.80/kg on cargo to Australia until 20 February 2013</i>	[TJ633]
23 Oct 2002	Operating Permit No. GIA/02/2 issued to Garuda Indonesia by the HK Civil Aviation Department	
2 Dec 2002	BAR CSC meeting at which it was found the airlines reached the December 2002 Hong Kong Insurance Surcharge Understanding to apply for a reduced insurance surcharge of HKD0.25/kg on cargo to Australia	[TJ699]
16 Dec 2002	Chairman of BAR CSC writes to HK CAD re application for revised ISC	[TJ699]
30 Dec 2002	HK CAD writes to Chairman of BAR CSC approving application for ISC with effect from 11 January 2003 (circulated to members on 30 December 2002)	[TJ699]
Feb 2003	It is found that Garuda entered into the Hong Kong Imposition Understanding with other airlines on or about February 2003 , or in the alternative at some time between February 2003 and February 2005.	[TJ658]
12 Feb 2003	Chairman of BAR CSC writes to HK CAD re increase in FSC to HKD1.20/kg on cargo to Australia effective 21 February 2003 found to reflect the Hong Kong Imposition Understanding	[TJ634]
18 Feb 2003	Chairman of BAR CSC writes to HK CAD attaching list of 55 airlines for the FSC	[TJ635]
19 Feb 2003	Chairman of BAR CSC writes to HK CAD attaching list of 60 airlines for the FSC	[TJ635]
21 Feb 2003	<i>GA charges FSC HKD1.20/kg on cargo to Australia until 26 March 2003</i>	[TJ634]
13 Mar 2003	BAR CSC meeting at which it is found members agree to apply to the HK CAD to increase FSC effective 27 March 2003 found to reflect the Hong Kong Imposition Understanding . There was no evidence and no finding that Garuda attended.	[TJ637]

13 Mar 2003	Chairman of BAR CSC writes to HK CAD re increase in FSC to HKD1.60/kg on cargo to Australia effective 27 March 2003 found to reflect the Hong Kong Imposition Understanding	[TJ637]
17 Mar 2003	Operating Permit No. GIA/03/1 issued to Garuda Indonesia by the HK Civil Aviation Department	
27 Mar 2003	<i>GA charges FSC of HKD1.60/kg on cargo to Australia until 21 April 2003</i>	[TJ638]
8 Apr 2003	Chairman of BAR CSC writes to HK CAD re decrease in FSC to HKD 1.20/kg on cargo to Australia effective 22 April 2003 found to reflect the Hong Kong Imposition Understanding	[TJ640]
22 Apr 2003	<i>GA charges FSC of HKD1.20/kg on cargo to Australia until 30 April 2003</i>	[TJ640]
24 Apr 2003	Chairman of BAR CSC writes to HK CAD re decrease in FSC to HKD0.80/kg on cargo to Australia effective 1 May 2003 found to reflect the Hong Kong Imposition Understanding	[TJ641]
1 May 2003	<i>GA charges FSC of HKD0.80/kg on cargo to Australia until 18 December 2003</i>	[TJ641]
12 Jun 2003	BAR CSC meeting at which it was found the airlines reached the First Hong Kong Surcharge Extension Understanding to apply to HK CAD to extend the approval for the Lufthansa Methodology and to impose the surcharge. Garuda found to have attended.	[TJ665] [TJ667]
20 Jun 2003	Chairman of BAR CSC writes to HK CAD re application to extend FSC	[TJ666]
11 Jul 2003	HK CAD letter to Chairman of BAR CSC approving extension of FSC from 19 July 2003 to 18 January 2004	[TJ666]
25 Sep 2003	Operating Permit No. GIA/03/2 issued to Garuda Indonesia by the HK Civil Aviation Department	
5 Dec 2003	Chairman of BAR CSC writes to HK CAD re increase in FSC to HKD1.20/kg on cargo to Australia effective 19 December 2003 found to reflect the Hong Kong Imposition Understanding	[TJ643]
19 Dec 2003	<i>GA charges FSC of HKD1.20/kg on cargo to Australia until 10 May 2004</i>	[TJ643]
27 Apr 2004	Chairman of BAR CSC writes to HK CAD re increase in FSC to HKD1.60/kg on cargo to Australia effective 11 May 2004 found to reflect the Hong Kong Imposition Understanding	[TJ644]
11 May 2004	<i>GA charges FSC of HKD1.60/kg on cargo to Australia until 8 August 2004</i>	[TJ644]
12 Mar 2004	Operating Permit No. GIA/1/04 issued to Garuda Indonesia by the HK Civil Aviation Department	
26 July 2004	Chairman of BAR CSC writes to HK CAD re increase in FSC to HKD2.00/kg on cargo to Australia effective 9 August 2004 found to reflect the Hong Kong Imposition Understanding	[TJ646]

9 Aug 2004	<i>GA charges FSC of HKD2.00/kg on cargo to Australia until 9 August 2004</i>	[TJ646]
2 Sep 2004	Chairman of BAR CSC writes to HK CAD re increase in FSC to HKD2.40/kg on cargo to Australia effective 16 September 2004 found to reflect the Hong Kong Imposition Understanding	[TJ646]
16 Sep 2004	<i>GA charges FSC of HKD2.40/kg on cargo to Australia until 5 November 2004</i>	[TJ646]
18 Oct 2004	Operating Permit No. GIA/2/04 issued to Garuda Indonesia by the HK Civil Aviation Department	
21 Oct 2004	Chairman of BAR CSC writes to HK CAD re increase in FSC to HKD2.80/kg on cargo to Australia effective 6 November 2004 found to reflect the Hong Kong Imposition Understanding	[TJ646]
6 Nov 2004	<i>GA charges FSC of HKD2.80/kg on cargo to Australia until 15 November 2004</i>	[TJ646]
2 Nov 2004	Chairman of BAR CSC writes to HK CAD re increase in FSC to HKD3.20/kg on cargo to Australia effective 16 November 2004 found to reflect the Hong Kong Imposition Understanding	[TJ646]
16 Nov 2004	<i>GA charges FSC of HKD3.20/kg on cargo to Australia until 6 December 2004</i>	[TJ646]
23 Nov 2004	Chairman of BAR CSC writes to HK CAD re decrease in FSC to HKD2.80/kg on cargo to Australia effective 7 December 2004 found to reflect the Hong Kong Imposition Understanding	[TJ646]
7 Dec 2004	<i>GA charges FSC of HKD2.80/kg on cargo to Australia until 3 January 2004</i>	[TJ646]
21 Dec 2004	Chairman of BAR CSC writes to HK CAD re decrease in FSC to HKD2.40/kg on cargo to Australia effective 4 January 2005 found to reflect the Hong Kong Imposition Understanding	[TJ646]
4 Jan 2005	<i>GA charges FSC of HKD2.40/kg on cargo to Australia until 21 March 2005</i>	[TJ646]
18 Feb 2005	Operating Permit No. GIA/1/05 issued to Garuda Indonesia by the HK Civil Aviation Department	
8 Mar 2005	Chairman of BAR CSC writes to HK CAD re increase in FSC to HKD2.80/kg on cargo to Australia effective 22 March 2005 found to reflect the Hong Kong Imposition Understanding	[TJ646]
22 Mar 2005	<i>GA charges FSC of HKD2.80/kg on cargo to Australia until 4 April 2005</i>	[TJ646]
22 Mar 2005	Chairman of BAR CSC writes to HK CAD re increase in FSC to HKD3.20/kg on cargo to Australia effective 5 April 2005 found to reflect the Hong Kong Imposition Understanding	[TJ646]
5 Apr 2005	<i>GA charges FSC of HKD3.20/kg on cargo to Australia until 11 July 2005</i>	[TJ646]
28 Jun 2005	Chairman of BAR CSC writes to HK CAD re increase in FSC to HKD3.60/kg on cargo to Australia effective 12 July 2005 found to reflect the Hong Kong Imposition Understanding	[TJ646]

12 Jul 2005	<i>GA charges FSC of HKD3.60/kg on cargo to Australia until 5 September 2005</i>	[TJ646]
23 Aug 2005	Chairman of BAR CSC writes to HK CAD re increase in FSC to HKD4.00/kg on cargo to Australia effective 6 September 2005 found to reflect the Hong Kong Imposition Understanding	[TJ646]
6 Sep 2005	<i>GA charges FSC of HKD4.00/kg on cargo to Australia until 26 September 2005</i>	[TJ646]
13 Sep 2005	Chairman of BAR CSC writes to HK CAD re increase in FSC to HKD4.40/kg on cargo to Australia effective 27 September 2005 found to reflect the Hong Kong Imposition Understanding	[TJ646]
27 Sep 2005	<i>GA charges FSC of HKD4.40/kg on cargo to Australia until 27 October 2005</i>	[TJ646]
12 Oct 2005	Operating Permit No. GIA/2/05 issued to Garuda Indonesia by the HK Civil Aviation Department	
14 Oct 2005	Chairman of BAR CSC writes to HK CAD re increase in FSC to HKD4.80/kg on cargo to Australia effective 28 October 2005 found to reflect the Hong Kong Imposition Understanding	[TJ646]
28 Oct 2005	<i>GA charges FSC of HKD4.80/kg on cargo to Australia until 21 November 2005</i>	[TJ646]
8 Nov 2005	Chairman of BAR CSC writes to HK CAD re decrease in FSC to HKD4.40/kg on cargo to Australia effective 22 November 2005 found to reflect the Hong Kong Imposition Understanding	[TJ646]
15 Nov 2005	Chairman of BAR CSC writes to HK CAD re decrease in FSC to HKD4.00/kg on cargo to Australia effective 29 November 2005 found to reflect the Hong Kong Imposition Understanding	[TJ646]
22 Nov 2005	<i>GA charges FSC of HKD4.40/kg on cargo to Australia until 28 November 2005</i>	[TJ646]
22 Nov 2005	Chairman of BAR CSC writes to HK CAD re decrease in FSC to HKD3.60/kg on cargo to Australia effective 6 December 2005 found to reflect the Hong Kong Imposition Understanding	[TJ646]
29 Nov 2005	<i>GA charges FSC of HKD4.00/kg on cargo to Australia until 5 December 2005</i>	[TJ646]
6 Dec 2005	<i>GA charges FSC of HKD3.60/kg on cargo to Australia until 20 February 2006</i>	[TJ646]
7 Feb 2006	Chairman of BAR CSC writes to HK CAD re increase in FSC to HKD4.00/kg on cargo to Australia effective 21 February 2006 found to reflect the Hong Kong Imposition Understanding	[TJ646]
21 Feb 2006	<i>GA charges FSC of HKD4.00/kg on cargo to Australia until 8 May 2006</i>	[TJ646]
25 Apr 2006	Chairman of BAR CSC writes to HK CAD re increase in FSC to HKD4.40/kg on cargo to Australia effective 9 May 2006 found to reflect the Hong Kong Imposition Understanding	[TJ646]
2 May 2006	Chairman of BAR CSC writes to HK CAD re increase in FSC to HKD4.80/kg on cargo to Australia effective 16 May 2006 found	[TJ646]

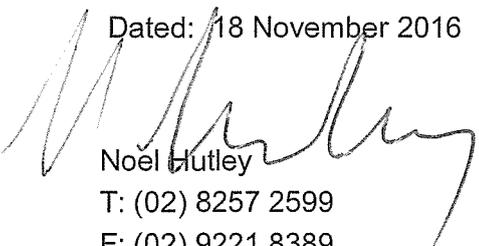
	to reflect the Hong Kong Imposition Understanding	
9 May 2006	<i>GA charges FSC of HKD4.40/kg on cargo to Australia until 15 May 2006</i>	[TJ646]
16 May 2006	<i>GA charges FSC of HKD4.80/kg on cargo to Australia until 9 October 2006</i>	[TJ646]
26 Sep 2006	Meeting between Chairman, Ms Liu, and 4 representatives of the HK CAD: Ms Poon, Mr Kwok, Mr To & Erin	[TJ435] [TJ440]
26 Sep 2006	Chairman of BAR CSC writes to HK CAD re decrease in FSC to HKD4.40/kg on cargo to Australia effective 10 October 2006 found to reflect the Hong Kong Imposition Understanding	[TJ646]
10 Oct 2006	<i>GA charges FSC of HKD4.40/kg on cargo to Australia until 17 October 2006</i>	[TJ646]
16 Oct 2006	Operating Permit No. GIA/1/06 issued to Garuda Indonesia by the HK Civil Aviation Department	
2 Sep 2009	Originating Application and Statement of Claim filed by ACCC	

INDONESIA CHRONOLOGY

DATE	EVENT	REFERENCE
4 Oct 2001	Meeting of the ACRB at which it is found that airlines reached the October 2001 Fuel Surcharge Understanding to impose a fuel surcharge of USD0.05/kg on cargo to Australia with effect from 16 October 2001	[TJ1141] to [TJ1148]
4 Oct 2001	Meeting of the ACRB where it was found that Garuda entered into the October 2001 Security Surcharge Understanding to impose a security surcharge of USD0.05/kg on cargo to Australia from 16 October 2001	[TJ1227] to [TJ1229]
29 Oct 2001	Meeting of the ACRB where it was found Garuda reached the October 2001 Air Freight Rate Understanding	[TJ1149] to [TJ1153]
9 Apr 2002	Meeting of the ACRB where it is found the airlines reached the April 2002 Fuel Surcharge Understanding to implement a fuel surcharge of USD0.05/kg to all destinations except Japan	[TJ1156] to [TJ1165]
4 Jun 2002	Meeting of the ACRB where it was found the June 2002 Fuel Surcharge Understanding was reached to "maintain current condition except for JKT-SIN that will leave it to each airline"	[TJ1177]
13 Sep 2002	Meeting of the ACRB where it was found that Garuda reached the September 2002 Fuel Surcharge Understanding to charge a fuel surcharge of USD0.05/kg on cargo to Australia	[TJ1178]
29 Jan 2003	Meeting of the ACRB where it is found that Garuda reached the January 2003 Fuel Surcharge Understanding to "maintain the fuel and security surcharge based on the current level"	[TJ1179]
29 Jan 2003	Meeting of the ACRB where it is found Garuda and other airlines reached the January 2003 Indonesia Security Surcharge Understanding to "maintain their security surcharge of USD0.05/kg on cargo to Australia"	[TJ1230]
23 Apr 2003	Garuda decides unilaterally to stop charging the fuel surcharge altogether	[TJ1180]
1 May 2003	<i>Garuda ceases imposing a fuel surcharge on cargo to Australia</i>	
8 May 2003	Meeting of the ACRB members where it is found Garuda entered into the May 2003 Fuel Surcharge Understanding to reinstate the surcharge from 12 May 2003	[TJ1182]
8 May 2003	Meeting of the ACRB at which it was found Garuda	[TJ1232]

	agreed to maintain its security surcharge	
12 May 2003	<i>Garuda charges fuel surcharge of USD0.05/kg on cargo carried to Australia until 14 July 2005</i>	
Late Apr 2004	The Indonesian Government announces it will impose a tax on cargo manifests on flights both out of and into Indonesia	[TJ1190] and [TJ1191]
Between 6 and 11 May 2004	It is found Garuda entered into the May 2004 Customs Fee Understanding to impose a customs fee on all air waybills for export to Australia of a minimum of USD5.00 per air waybill	[TJ1194]
16 May 2004	<i>Garuda imposes customs fee of USD5.00 per air waybill on carriage to Australia until October 2005</i>	
1 July 2004	IATA TACT Bulletin published including Indonesian Customs Fee of US\$5.00 per air waybill	
29 Sep 2004	Meeting of the ACRB at which it was found Garuda reached the September 2004 Security Surcharge Understanding to maintain the security surcharge of USD0.05/kg on cargo to Australia	[TJ1234]
4 Apr 2005	Meeting of the ACRB where it was found that Garuda reached the April 2005 Fuel Surcharge Understanding to impose a fuel surcharge of USD0.05/kg to cargo to Australia with effect from 1 May 2005	[TJ1210] to [TJ1211]
15 Jul 2005	Meeting of the ACRB at which it was found that Garuda entered into the July 2005 Fuel Surcharge Understanding to charge a fuel surcharge of USD0.05/kg on cargo to Australia from 1 August 2005	[TJ1214] to [TJ1215]
15 Jul 2005	Meeting of the ACRB at which it was found Garuda entered into the July 2005 Indonesia Security Surcharge Understanding to maintain a security surcharge of no less than USD0.05/kg on cargo to Australia	[TJ1235]
15 July 2005	<i>Garuda imposes fuel surcharge of USD0.08/kg on cargo to Australia until 20 July 2015</i>	
21 July 2005	<i>Garuda imposes a fuel surcharge of USD0.05/kg on cargo to Australia until 15 September 2005</i>	[TJ1214]
2 Sep 2009	Originating Application and Statement of Claim filed by ACCC	

Dated: 18 November 2016


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