
FORM FOR A REQUEST TO RECOMMEND DECLARATION OF A SERVICE UNDER PART 5, DIVISION 2 OF THE QUEENSLAND COMPETITION AUTHORITY ACT 1997

This form sets out the matters to be addressed in a request made to the QCA to recommend declaration of a service. We encourage applicants to provide us with all the relevant information that they reasonably can, as this will help us in assessing the application. Where possible, matters should be supported with evidence.

However, we understand that not all of this information may be readily available. Therefore, in relation to the matters listed in this form, if a particular matter is not relevant to the request, or if relevant information is not readily available to the applicant, the applicant should provide a brief explanation.

QCA staff are available to discuss any proposed request before it is formally submitted and to help potential applicants to better understand the relevant requirements and processes. Please contact us on phone 07 3222 0555 or via our [website](#).

Information to include in the request

Applicant details

The applicant's name, address and contact details.

Identify the service and the facility that provides the service

Details of the service the subject of the request, including:

- the specification of the service
- a description of the facility that provides the service
- details of the owner(s) and (where different) operator of the service.

Address the access criteria

The applicant should address whether the service in question meets the access criteria in s. 76 of the *Queensland Competition Authority Act 1997* (QCA Act). This should include, where possible, the matters outlined below.

Criterion (b)—Meet total foreseeable demand at least cost

Details of:

- the market in which the service is provided
- whether there are substitutes for the service in the relevant market
- the period for which the service should be declared
- expected demand in the market over the proposed declaration period
- whether the facility for the service can meet expected demand in the market either in existing or expanded form (if relevant)

- whether the facility for the service can meet expected demand in the market at lower cost than any two or more facilities.

Criterion (a)—Access as a result of declaration would promote a material increase in competition in at least one market other than the market for the service

Details of:

- a market or markets that are separate to, but dependent on, the market for the service
- the ability and incentive of the service provider to exert market power
- how access (or increased access) to the service as a result of declaration would promote a material increase in competition in one or more dependent markets.

Criterion (c)—State significance

Information addressing whether the facility for the service is significant having regard to its size or importance to the Queensland economy.

Criterion (d)—Promote the public interest

Information addressing whether access (or increased access) to the service as a result of declaration of the service would promote the public interest. This should address the matters in s. 76(5), namely:

- if the facility extends outside Queensland and is regulated by another jurisdiction, the desirability of consistency in regulating access to the service
- the effect of declaration on investment in facilities and markets that depend on access to the service
- the administrative and compliance costs that would be incurred by the service provider if the service were declared
- any other relevant matter.

Confidential information

If claiming confidentiality in respect of the request (or any part of the request) in accordance with the QCA Act¹, the applicant should provide a public version as well as a clearly marked confidential version.

¹ In particular, s. 187 and/or s. 239.