Cutmore, Monica

From:

Ford, Amanda

Sent:

Thursday, 23 February 2012 11:56 AM

To:

Gregson, Scott

Cc:

Rosewarne, Rachel, MLO

Subject:

Ministerial Scott Ludlam [SEC=UNCLASSIFIED]

Security Classification:

UNCLASSIFIED

Hi Scott

The attached Ministerial is addressed to you. It is regarding the Mastercard and Visa blockade on Wikileaks as discussed during the Estimates hearing of the Senate Economics Committee. A meeting has been requested.

D12/29654

Regards

Mandy

Mandy Ford

Ministerial Liasion Officer | Office of the CEO **Australian Competition & Consumer Commission**23 Marcus Clarke Street Canberra ACT 2601 http://www.accc.gov.au
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Mr. Scott Gregson
Group General Manager, Enforcement Operations Group
Australian Competition and Consumer Commission
GPO Box 3131
Canberra ACT 2601

FILE No: DOC:

MARS/PRISM:

21 February 2012

MISTERIAL

Dear Mr. Gregson,

I refer to our exchange during the Estimates hearing of the Senate Economics Committee on Wednesday 15 February on the matter of the Wikileaks financial blockade by the specialist credit card institutions MasterCard and Visa:

http://scott-ludlam.greensmps.org.au/content/transcript/accc-wikileaks-financial-blockade.

As you know, both MasterCard and Visa on the same day – 7 December 2010 - imposed a blockade on Wikileaks. My question goes to whether this constitutes cartel-like behaviour? Particularly given that Visa and MasterCard together dominate the Australian payments market and have thus breached Australians right to donate to the organisation of their choice?

In the event that no form of collusion between Visa and MasterCard can be proven, does the CC Act 2010 nonetheless provide for other means of recourse, either for customers of the credit card companies or the WikiLeaks organisation itself?

In your letter to Senator Brown of 3 March 2011 (ref: 1053889) Mr. Cassidy stated that the Competition and Consumer Act 2010 prohibits certain arrangements between competitors to withdraw services. Could you provide a briefing to me on the nature and scope of the prohibition in response to these 'certain arrangements'?

You indicated in our exchange that you were not aware an anti-trust complaint has been lodged at the European Commission. I would be happy to provide information and documents to you on this matter.

I would greatly appreciate the opportunity to meet with you and any of your colleagues you believe could bring appropriate expertise to the discussion, and hope that this can occur during the next sitting of Parliament 27 February – 1 March.

I would be grateful if your office could be in touch with my adviser Felicity Hill via email Felicity. Hill@aph.gov.au or phone 026277 3467 to arrange a mutually convenient time.

Sincerely

Senator Scott Ludlam

AUST. COMPETITION & CONSUMER COMMISSION CANSERRA

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