



Our ref: AA1000601
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20/01/2022

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Dear Interested Party

NPP Australia Limited application for revocation of authorisations A91560 and A91561 and substitution of AA1000601 – interested party consultation

On 14 January 2022, the Australian Competition and Consumer Commission (the **ACCC**) received an application for re-authorisation from NPP Australia Limited (NPPA) (revocation and substitution). This letter is to invite you to comment. You are welcome to pass this letter on to others who may wish to make submissions.

NPPA is seeking re-authorisation¹ under the *Competition and Consumer Act 2010* (Cth). Re-authorisation would give it legal protection from competition laws to continue to give effect to the NPP Regulations in respect of the suspension and termination provisions.

On 5 April 2017, the ACCC granted authorisations A91560 and A91561 to the NPPA to give effect to these provisions until 27 April 2022. On the same date, the ACCC also granted authorisation A91562 in perpetuity in respect of the NPP participant eligibility requirements and settlement provisions.

NPPA is seeking re-authorisation for an additional five years for the arrangements that will expire on 27 April 2022 – the suspension and termination provisions of the NPP Regulations. A full copy of the application for re-authorisation is available on the ACCC's [authorisations public register](#).

NPPA is also seeking interim authorisation, should it be necessary if the revocation and substitution process is not finalised prior to the expiration of authorisation numbers A91560 and A91561 by 27 April 2022.

Making a submission

The ACCC invites you to make a submission on the application for re-authorisation. In making your submission, please provide information, evidence and views about the likely public benefits, effects on competition and any other public detriment that you consider will result from the proposed conduct.

Further, the ACCC welcomes any comments about your experience during the term of the previous authorisation in relation to the suspension and termination provisions of the NPP Regulations. The ACCC is particularly interested in the public benefits and detriments you have observed as a result of the conduct to date.

¹ For information about Authorisations, please see <https://www.accc.gov.au/business/exemptions/authorisation>

If you intend to provide a submission, please do so by **4 February 2022**. If you wish to request an extension, please contact us on the details below as early as possible. Submissions after the due date (or after any extension granted) may not be taken into account.

Please use the coversheet that accompanied this letter and email your submission to exemptions@acc.gov.au, with the subject 'AA1000601 – NPP Australia Limited – submission'. Alternatively, if you would like to provide comments orally, please contact Tom Whitby via the details at the end of this letter.

Your submission **will** be placed on the ACCC's [authorisations public register on the internet](#) unless you have made a request (with reasons) for us to exclude part or all of the submission from the public register. (see [Guidelines for Excluding Information from the Public Register for more information on how to make a request and how we assess requests](#)).

Timetable

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information, and an up to date version (including any changes) will be posted on the public register.

Indicative date	Stage in assessment process
14 January 2022	Lodgement of application and supporting submission.
20 January 2022	Public consultation process begins.
4 February 2022	Closing date for submissions from interested parties.
February 2022	Applicant responds to issues raised in the public consultation process.
March 2022	Draft determination.
March/April 2022	Public consultation on draft determination including any conference if called.
April/May 2022	Final determination.

This letter has been placed on the ACCC's public register. If you have any questions or wish to discuss any aspect of this matter, please do not hesitate to contact Tom Whitby on 02 6243 1012 or exemptions@acc.gov.au.

Yours sincerely



Gavin Jones
Director
Competition Exemptions

Interested Parties Consulted

Australia and New Zealand Banking Group Limited

Australian Banker's Association

Australian Banking Association (ABA)

Australian Settlements Limited

Bendigo and Adelaide Bank Limited

Citigroup Pty Limited

Commonwealth Bank of Australia

Cuscal Limited

HSBC Bank Australia Limited

Indue Ltd

ING Bank (Australia) Limited

Macquarie Bank Limited

National Australia Bank Limited

Reserve Bank of Australia

Westpac Banking Corporation

Wise Australia (formerly, TransferWise Limited)

Zepto Payments Pty Limited