

Mallesons Stephen Jaques

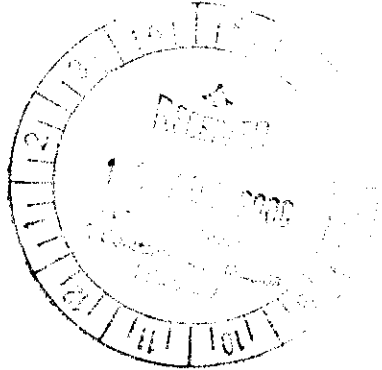
S O L I C I T O R S

D00/27743



RAC0006J3D

Regional Director
Australian Competition and
Consumer Commission
Level 35, The Tower
360 Elizabeth Street
Melbourne Centre
Melbourne Vic 3000



18 August 2000

Dear Sir/Madam

**National Australia Bank Limited - Notification of Third Line Forcing
Exclusive Dealing**

We act for National Australia Bank Limited.

We enclose for lodgement an exclusive dealing notifications together with a
cheque for the applicable lodgement fee of \$1,000.00.

Please do not hesitate to contact Caroline Coops of this office on (03) 9643 4097
should you have any queries or comments.

Yours faithfully

Encls. 1

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FORM G
COMMONWEALTH OF AUSTRALIA
TRADE PRACTICES ACT 1974 - Subsection 93(1)
EXCLUSIVE DEALING: NOTIFICATION

TO THE AUSTRALIAN COMPETITION & CONSUMER COMMISSION:

Notice is hereby given, in accordance with sub-section 93(1) of the *Trade Practices Act 1974*, of particulars of conduct or of proposed conduct of a kind referred to in sub-section 47(6) or (7) of that Act in which the person giving notice engages or proposes to engage.

1 (a) Name of person giving notice:

National Australia Bank Limited ACN 004 044 937, ABN 12 004 044 937
("National") of Level 24, 500 Bourke Street, Melbourne.

Ansett Australia Limited ABN 37 004 209 410 of 501 Swanston Street,
Melbourne ("Ansett").

(b) Short description of business carried on by that person

The National provides banking services, products and systems including credit and charge cards, debit cards and transaction services.

Ansett provides domestic and international passenger air travel services and related travel management services.

(c) Address in Australia for service of documents on that person

C/- Amanda Bodger
Mallesons Stephen Jaques
Level 28, Rialto
525 Collins Street
Melbourne Vic 3000

2 (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates:

Charge card facilities and associated benefits and transaction services provided by the National to corporate and business customers who have or acquire Ansett Travel Accounts ("National Product").

(b) Description of the conduct or proposed conduct:

The National proposes to:

(a) supply or offer to supply the National Product to customers on the condition that the customers acquires or agrees to acquire an Ansett Travel Account from Ansett;

(b) refuse to supply or refuse to offer to supply the National Product to customers for the reason that that the customer has not acquired or has not agreed to acquire an Ansett Travel Account from Ansett; or

- (c) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to the National Product to customers on the condition that the customer acquires or agrees to acquire an Ansett Travel Account from Ansett.

Specifically, pursuant to arrangements between the National and Ansett, the National proposes to provide Ansett Visa Corporate Cards (and the underlying charge card facility) to corporate and business customers who acquire Ansett Travel Account services from Ansett.

Ansett Travel Accounts are travel accounts operated and administered by Ansett and used by the account holder for purchase of air passenger travel services.

The proposed conduct will be of benefit to the public as it will:

- provide corporate and business consumers with greater convenience in dealing with the National and Ansett.
- reduce administrative costs of corporate and business customers when acquiring travel management services from Ansett and dealing with the National and Ansett generally;
- promote competition in the relevant markets by encouraging competitors to offer similar value added services;
- provide corporate and business consumers with an opportunity to access a wider range of efficient business related travel services.

The proposed conduct will not lessen competition in the markets for the relevant products and services as:

- competition in the banking and travel management industries is vigorous and there are many competitors;
- the number of consumers potentially affected by the proposed conduct is very insignificant compared to the total number of consumers who acquire banking and travel management services;
- consumers will be able to obtain charge card and business card facilities from the National without acquiring services from Ansett; and
- consumers will be able to obtain Ansett Travel Account without acquiring services from the National.

The applicants believe that the benefits from the proposed conduct outlined above will outweigh any possible detriment considered to arise from the conduct.

3 (a) Class or classes of persons to which the conduct relates:

Corporate and business customers who acquire travel management services or Ansett Travel Account services from Ansett.

(b) **Number of those persons**

Approximately 3,000.

(c) **Where number of persons stated in item 3(b)(i) is less than 50, their names and addresses**

Not applicable

4 Name and address of person authorised by the person giving this notice to provide additional information in relation to this notice is:

Caroline Coops
Mallesons Stephen Jaques
Level 28, Rialto
525 Collins Street
Melbourne Vic 3000

Dated: 18 August 2000

Signed on behalf of the person giving this notice:



Caroline Coops

Solicitor



DIRECTIONS

- 1 If there is insufficient space on this form for the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the person giving the notice.
- 2 If the notice is given by or on behalf of a corporation, the name of the corporation is to be inserted in item 1(a), not the name of the person signing the notice, and the notice is to be signed by a person authorised by the corporation to do so.
- 3 In item 1(b), describe that part of the business of the person giving the notice in the course of which the conduct is engaged in.
- 4 If particulars of a condition or of a reason of the type referred to in subsection 47(2), (3), (4), (5), (6), (7), (8), or (9) of the **Trade Practices Act 1974** have been reduced in whole or in part to writing, a copy of the writing is to be provided with the notice.
- 5 In item 3(a), describe the nature of the business carried on by the persons referred to in that item.
- 6 In item 3(b)(ie), state an estimate of the highest number of persons with whom the person giving the notice is likely to deal in the course of engaging in the conduct at any time during the next year.

NOTICE

If this notification is in respect of conduct of a kind referred to in subsection 47(6) or (7), or paragraph 47(8)(c) or (9)(d), of the *Trade Practices Act 1974* (“the Act”), it comes into force at the end of the period prescribed for the purposes of subsection 93(7A) of the Act (“the prescribed period”) unless the Commission gives a notice under subsection 93A(2) of the Act within the prescribed period, or this notification is withdrawn.

The prescribed period is 21 days (if this notification is given on or before 30 June 1996) or 14 days (if this notification is given after 30 June 1996), starting on the day when this notification is given.

If the Commission gives a notice under subsection 93A(2) of the Act within the prescribed period, this notification will not come into force unless the Commission, after completing the procedures in section 93A of the Act, decides not to give a notice under subsection 93(3A) of the Act. The notification comes into force when the decision is made.

If this notification is in respect of conduct of a kind referred to in subsection 47(2), (3), (4) or (5), or paragraph 47(8), (a) or (b) or (9)(a), (b) or (c), of the Act, it comes into force when it is given.