

**Commonwealth Bank of Australia**  
**ABN 48 123 123 124**

Financial and Risk Management

Level 7  
48 Martin Place  
Sydney NSW 2000  
Australia

Telephone 02 9378 3005  
Facsimile 02 9378 3000

**Sarah Goodman**  
Head of Group Compliance

D01/15024



14 May 2001

Australian Competition and Consumer Commission  
Level 5 Skygarden Building  
77 Castlereagh St  
Sydney NSW 2000



Dear Sir/Madam,

**Commonwealth Bank of Australia, Commonwealth Insurance Limited and ACP Publishing Pty Limited – Notification of third line forcing exclusive dealing**

We enclose for lodgment an exclusive dealing notification covering the Commonwealth Bank of Australia, Commonwealth Insurance Limited and ACP Publishing Pty Limited. A cheque in payment of the total lodgment fee of \$1,300.00 is also enclosed.

We request that the information provided in the box on pages 3 and 4 of this notification that concerns examples of the proposed conduct be kept confidential and not be placed on the public register.

If you have any questions in relation to the notification please do not hesitate to contact Duncan Stewart on (02) 9378 3536 or myself.

Yours sincerely,

*per* Sarah Goodman  
Head of Group Compliance

Direct line (02) 9378 3005  
Mobile 0414 996 819

**FORM G**

N31134

**Regulation 9**

**COMMONWEALTH OF AUSTRALIA**  
***Trade Practices Act 1974 – Sub-section 93 (1)***  
**EXCLUSIVE DEALING: NOTIFICATION**

To the Australian Competition and 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.

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**1. (a) Name of person giving notice:**

Notification is given by the following companies:

Commonwealth Bank of Australia ABN 48 123 123 124 of Level 1, 48 Martin Place,  
Sydney ;

Commonwealth Insurance Limited ABN 96 067 524 216 of Level 7, Tower B, 799  
Pacific Highway, Chatswood;

ACP Publishing Pty Limited ABN 18 053 273 546 of 54 Park Street, Sydney.

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

Commonwealth Bank of Australia provides banking products and services.

Commonwealth Insurance Limited provides insurance products and services.

ACP Publishing Pty Limited produces magazines.

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

Sarah Goodman  
Head of Group Compliance  
Commonwealth Bank Group  
Level 7, 48 Martin Place  
Sydney NSW 1155

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

Products supplied by the Commonwealth Bank of Australia being:

- (i) term deposit.

Products supplied by Commonwealth Insurance Limited being:

- (i) home and/or contents insurance.
- (ii) investment building and/or contents insurance.

Products supplied by ACP Publishing Pty Limited:

- (i) subscription to Money Magazine, which includes membership of the Money Card loyalty program and accompanying access to financial and non-financial offers that are exclusive to members.

**(b) Description of the conduct or proposed conduct**

Commonwealth Bank of Australia proposes to give or allow, or offer to give or allow, a discount or allowance in relation to the supply of a product, or to supply or offer to supply the product at a particular price, or to supply or offer to supply particular services in relation to the supply of the product, on the condition that the customer also acquires a product from ACP Publishing Ltd.

Commonwealth Insurance Limited proposes to give or allow, or offer to give or allow, a discount or allowance in relation to the supply of a product, or to supply or offer to supply the product at a particular price, or to supply or offer to supply particular services in relation to the supply of the product, on the condition that the customer also acquires a product from ACP Publishing Ltd.

Commonwealth Bank of Australia and Commonwealth Insurance Limited propose to offer a range of packages combining a product from ACP Publishing Pty Ltd to existing and prospective customers. These packages may offer savings or incentives to those customers who choose to take up the package of products.

Commonwealth Bank of Australia, Commonwealth Insurance Limited and ACP Publishing Pty Ltd will continue to make their products available separately, subject to normal criteria. Customers who choose not to take up a package of products will still be able to purchase these products from Commonwealth Bank of Australia, Commonwealth Insurance Limited and ACP Publishing Pty Ltd separately on normal terms and at normal rates.

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**RESTRICTION OF PUBLICATION**

☐ CLAIMED

☒ GRANTED

☐ DECISION PENDING

. CONFIDENTIALITY GRANTED .

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

- lower the effective price for the relevant Commonwealth Bank of Australia and Commonwealth Insurance Limited products.
- promote competition and increase the downward pressure on the pricing of a range of products whilst also prompting competitors to offer more convenience and flexibility to customers in relation to those products;
- provide greater choice, flexibility and convenience to customers in meeting their financial needs;
- lead to increased business efficiencies for the Commonwealth Bank of Australia, Commonwealth Insurance Limited and ACP Publishing Pty Ltd.

The proposal will have little or no public detriment.

The proposal will not lessen competition in the relevant banking, insurance, and publishing markets. Competition in the relevant markets is vigorous and consumers will continue to have the choice from a large number of providers. As the markets are extremely competitive any decision by consumers on which provider to use can be made solely on an assessment of the merits of each provider's products and services.

The significant public benefits outlined above outweigh any potential public detriment considered to arise from the conduct.

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

Customers of the Commonwealth Bank of Australia, Commonwealth Insurance Limited, and members of the Money Card loyalty program who are subscribers to Money magazine, published by ACP Publishing Pty Ltd.

**(b) Number of those persons—**

- (i) At present time: Offers will be made to an estimated 30,000 subscribers to Money magazine, inclusive of members of the Money Card loyalty program.
- (ii) Estimated within the next year: Offers will be made to an estimated 35,000 subscribers to Money magazine, inclusive of members of the Money Card loyalty program.

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

Not applicable

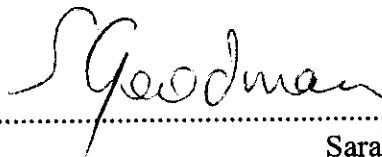
**4. Name and address of person authorized by that person giving this notice to provide additional information in relation to this notice:**

Sarah Goodman  
Head of Group Compliance  
Commonwealth Bank Group  
Level 7, 48 Martin Place  
Sydney NSW 1155

**Should the Commission wish to make any enquiries about the conduct described in this notification, the Commission is respectfully requested to contact Ms Goodman in the first instance, prior to doing so.**

Dated: 11 May 2001

Signed by/on behalf of the person giving this notice

  
.....  
Sarah Goodman  
Head of Group Compliance

[Back of Form]

### 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)(ii), 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 that 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.