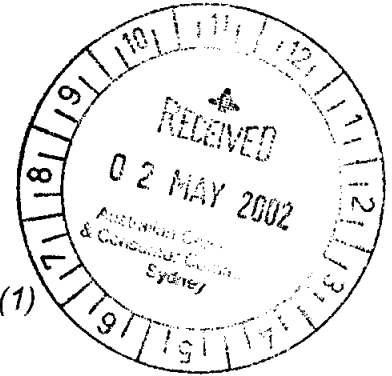


**FORM G**  
Regulation 9

**COMMONWEALTH OF AUSTRALIA**

*Trade Practices Act 1974 – Sub-section 93(1)*



**NOTIFICATION OF EXCLUSIVE DEALING**

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 which may constitute 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:**

people telecom Limited ACN 091 714 699

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

Sale of telecommunications services (together with associated support services) to business and residential users.

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

Locked Bag N3  
Grosvenor Place NSW 1220

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

Telecommunications services.

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

The supply or offer of supply of a rebate to persons who have acquired or who will acquire a Workers Compensation Insurance Policy from Allianz Australian

Workers Compensation (NSW) Limited. The conduct will commence in May 2002 and continue until further notice.

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

- A. Allianz Australia Workers Compensation (NSW) Limited.
- B. Consumers of telecommunications services in New South Wales who have acquired or who will acquire a Workers Compensation Insurance policy from Allianz.

(b) **Number of those persons:**

- A. 1
- B. Not known but certain to exceed 50.

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

- A. Allianz Australia Workers Compensation (NSW) Limited, 2 Market St, Sydney NSW 2000.

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

Brent Fisse, Gilbert + Tobin Lawyers, 2 Park Street, Sydney NSW 2000.

Dated: 1/5/2002

Signed by/on behalf of the persons giving this notice:



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Brent Fisse  
Partner  
Gilbert & Tobin

## **PEOPLE TELECOM LIMITED**

### **THIRD LINE FORCING NOTIFICATION**

#### **SUBMISSION IN SUPPORT OF NOTIFICATION**

#### **1. RELEVANT PARTIES**

##### **1.1 people telecom Limited ACN 091 714 699**

people telecom provides business and residential telecommunications services throughout Australia. Its services include local, national and international fixed line and ISDN data telecommunications services. people telecom offers broadband network services and virtual private networking, as well as other data services. Its wireless services include mobile, wireless Internet, content and information services, and value added services.

people telecom's suite of telecommunications products is complemented by tailored billing management, on-line presence, customer relationship management and call centre management. Heavy investment in its back office infrastructure allows people telecom to set new standards in customer service delivery.

##### **1.2 Allianz Australia Workers Compensation (NSW) Limited ACN 003 087 545**

Allianz Australia Workers Compensation (NSW) Limited (**Allianz**) is a subsidiary of Allianz Australia Limited. It offers a wide range of insurance and risk management products and services in a competitive market environment. It is a market leader as a provider of workers compensation insurance.

#### **2. PROPOSED CONDUCT**

people telecom proposes to offer a promotion which involves Allianz. Under the terms of the promotion, people Telecom will offer holders of an Allianz workers compensation insurance policy a cash rebate on the customer's telecommunications bill. The rebate will be up to 20% of the value of the customer's workers compensation bill.

To be eligible for the rebate, the customer must pre-select people Telecom as their fixed long distance and/or mobile telecommunications provider. The amount of the rebate will be conditional upon the level of the customer's existing expenditure on telecommunications services and the customer's existing service provider's monthly plan.

The promotion will be marketed to existing Allianz customers renewing their workers compensation insurance with Allianz. There are approximately 50,000 Allianz workers compensation policy holders now. The promotion will also be offered to new customers who take out a workers compensation insurance policy with Allianz.

### **3. PUBLIC BENEFIT**

people telecom considers that the proposed conduct will deliver significant public benefits. The impact of the proposed conduct is such that, under the test laid down in section 93(3A) of the Trade Practices Act, the benefit to the public will outweigh any likely detriment.

The proposed conduct will benefit the public in several ways. Firstly, it will further increase the level of competition in the telecommunications sector. people telecom competes with other carriage service providers in both the range of products it offers but also in the level of customer service and support it provides. Following the recent collapse of carriage services providers like One.Tel and dingo blue, it is important that strong competition be maintained in the domestic telecommunications sector.

The proposed conduct will also foster business efficiency. Business customers will be able to realise savings in actual expenditure, which will be of particular value to small businesses. Reduced costs can then be passed on to consumers in the form of lower prices.

The proposed conduct will not affect the ability of customers to purchase workers compensation insurance from any insurance company they choose, or to pre-select to whichever carriage service provider they choose. Furthermore, the number portability obligations imposed by the Numbering Plan ensure that customers who pre-select to people telecom are able to port to another carriage service provider at a later date. Although the customer will no longer be eligible for people telecom's rebate, number portability ensures that consumer choice is protected and that consumers are able to obtain telecommunications services from the carriage service provider that is most suited to their needs.

### **4. CONCLUSION**

The proposed conduct will result in benefits to the public which outweigh any lessening of competition and, as a result, the proposed conduct should be approved. As discussed above, the conduct offers consumers the opportunity to realise savings, as well as introducing further competition into the domestic telecommunications market.

people telecom would be pleased to provide any further information if so requested by the Commission.