



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2004/1245, C2004/1247
Contact Officer: Michael Green
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8 September 2004

Ms Amanda Bodger
Mallesons Stephen Jaques
Level 28, Rialto
525 Collins Street
Melbourne VIC 3000

Dear Ms Bodger

Exclusive Dealing Notifications –National Australia Bank Limited (N40749, N40750)

I refer to the above third line forcing notifications lodged by National Australia Bank Limited (National) with the Australian Competition and Consumer Commission (the ACCC) on 25 August 2004. These notifications have been placed on the ACCC's public register. Immunity in respect of these notifications commenced on 8 September 2004.

N40749

National wishes to enter into an agreement with a recently terminated employee, Jason Abrahams, and his new employer, Alexanders Financial Planning Pty Ltd (Alexanders). The notification details an arrangement whereby the National will:

- supply or offer to supply National Services to Alexanders on the condition that Alexanders agrees to continue to acquire Garvan Services from GWM Adviser Services Limited (Garvan Financial Planning) a wholly owned subsidiary of the National
- refuse to supply or refuse to offer to supply National Services to Alexanders if it does not agree to continue to acquire Garvan Services from Garvan Financial Planning.

National Services – products and services supplied by National being provision of certain information and records and client service rights related to its wealth management and financial planning business.

Garvan Services – financial services and financial product advice related services including sales, marketing, training and other advisory services and professional support services provided by Garvan Financial Planning.



N40750

National wishes to enter into an agreement with a recently terminated employee, Bradley Speering, and his proposed new employer, Alan Hall Financial Services Pty Ltd (Alan Hall). The notification details an arrangement whereby the National will:

- supply or offer to supply National Services to Alan Hall on the condition that Alan Hall agrees to acquire Garvan Services from GWM Adviser Services Limited (Garvan Financial Planning), a wholly owned subsidiary of the National
- refuse to supply or refuse to offer to supply National Services to Alan Hall if it does not agree to acquire Garvan Services from Garvan Financial Planning.

Conclusion

On the basis of the information that you have provided, it is not intended that further action be taken in these matters at this stage.

As with any notification, please note that the ACCC may act to remove the immunity afforded by these notifications at a later stage if it satisfied that the likely benefit to the public from the conduct will not outweigh the likely detriment to the public from the conduct.

If you wish to discuss any aspect of this matter, please do not hesitate to contact Michael Green on (02) 6243 1088.

Yours sincerely



Tim Grimwade
General Manager
Adjudication Branch

Approved for Public Register to

YES / NO

[Signature]

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