

**Form G**

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(2), (3), (4), (5), (6) or (7), or paragraph 47 (8) (a), (b) or (c) or (9) (a), (b), (c) or (d) of that Act in which the person giving notice engages or proposes to engage.

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

American Express Australia Limited  
ABN 92 108 952 085

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

American Express Australia Limited (**American Express**) conducts a payment services business, predominantly as an issuer of credit and charge cards and provider of merchant acquiring services.

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

Shauna Wong  
General Counsel's Office  
Level 28  
175 Liverpool Street  
Sydney NSW 2000  
Fax (02) 9271 2554

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

The provision of payment card services to customers in Australia.

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

American Express has entered into an arrangement with Qantas Airways Limited (**Qantas**) pursuant to which American Express intends to provide:

- i. holders of certain new American Express cards with a bonus amount of Qantas Frequent Flyer (**QFF**) points when the cardholder makes a purchase from Qantas on Qantas services for the first time using their card;
- ii. holders of certain new American Express cards with an additional QFF point for every dollar spent using their card on purchases with Qantas on Qantas services;
- iii. holders of a certain new American Express "premium plus" card with one return economy flight on Qantas each year after the cardholder uses their card to make a purchase from Qantas on Qantas services for the first time that year; and
- iv. holders of a certain new American Express "premium" card with two Qantas Club entry passes each year after the cardholder uses their card to make a purchase from Qantas on Qantas services for the first time that year.

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

American Express customers who acquire the relevant card services from American Express.

**(b) Number of those persons –**

**(i) At present time:**

As the proposed conduct relates to a new card product, there are currently no cardholders.

**(ii) Estimated within the next year:**

It is expected that there will be approximately 145,000 holders of the new credit card product within the next year.

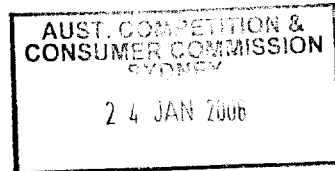
**(c) Where number of persons stated in item 3(b)(i) is less than 50, their names and addresses:**

Not applicable.

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

Shauna Wong  
Manager, General Counsel's Office  
American Express Australia Limited  
175 Liverpool Street  
Sydney NSW 2000

Tel: 9271 1917  
Fax: 9271 2393  
Email: shauna.w.wong@aexp.com



**DATED** this 24th day of January 2006

**SIGNED** for and on behalf of **American Express Australia Limited** ABN 92 108 952 085

A handwritten signature in cursive script, appearing to read "Shauna Wong".

.....  
Shauna Wong  
Manager  
General Counsel's Office

## 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 sub-section 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 sub-section 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 sub-section 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 sub-section 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.