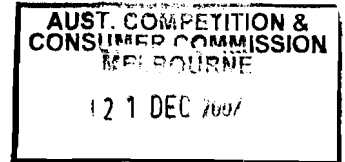


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Form G



Commonwealth of Australia
Trade Practices Act 1974 — subsection 93 (1)
NOTIFICATION OF EXCLUSIVE DEALING

To the Australian Competition and Consumer Commission:

Notice is hereby given, in accordance with subsection 93 (1) of the *Trade Practices Act 1974*, of particulars of conduct or of proposed conduct of a kind referred to subsections 47 (2), (3), (4), (5), (6), (7), (8) or (9) of that Act in which the person giving notice engages or proposes to engage.

1. Applicant

(a) *Name of person giving notice:*

N93257

Australia and New Zealand Banking Group Limited ABN 11 005 357 522 (ANZ)

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

ANZ is in the business of banking and the provision of financial services. In particular, the business division of ANZ relevant in the context of this notification is Consumer Finance. ANZ's Consumer Finance division provides credit cards to retail customers in Australia.

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

Level 6, 100 Queen Street, Melbourne Victoria 3000

2. Notified arrangement

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

Credit cards offered by ANZ to retail customers, being:

- ANZ First Visa
- ANZ Low Rate MasterCard
- ANZ Balance Visa
- ANZ Gold
- ANZ Rewards Visa
- ANZ Frequent Flyer Visa

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

ANZ proposes to launch an initiative called the "ANZ Blue Door Promotion" (**Promotion**). The Promotion will involve the provision of "offer booklets" to ANZ credit card customers by mail and members of the public at two events to be held (one in Sydney and one in Melbourne) as part of the Promotion (**Events**).

The "offer booklets" will contain discount and special offer vouchers for third party goods and services providers (**Offer Providers**). A customer who receives the offer booklet by mail, or a customer who receives the offer booklet at the Events and applies and is approved for an ANZ credit card within the period of the promotion, can use the

vouchers when paying with his or her ANZ credit card at the relevant Offer Providers to obtain the discounts or special offers.

The proposed conduct is broadly similar to existing loyalty or reward programmes offered by credit card issuers in the Australian marketplace as it essentially provides rewards or benefits in return for holding and using a credit card issued by a particular card issuer.

3. Persons, or classes of persons, affected or likely to be affected by the notified conduct

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

The classes of persons affected or likely to be affected are:

- With respect to customers who receive the offer booklets via mail, ANZ credit card customers in all States and Territories in Australia other than the Northern Territory and Tasmania; and
- With respect to customers who receive the offer booklets at the Events, members of the public who attend the Events and receive the offer booklet.

(b) *Number of those persons:*

(i) *At present time:*

Nil.

(ii) *Estimated within the next year:*

Approximately 150,000.

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

Not applicable.

4. Public benefit claims

(a) *Arguments in support of notification:*

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

- promote competition amongst credit card issuers and prompt competitors of ANZ to provide pro-competitive value added benefits to the benefit of their credit card customers; and
- promote competition and place downward pressure on pricing for products and services provided by competitors of the Offer Providers.

(b) *Facts and evidence relied upon in support of these claims:*

Reward programmes in Australia allow consumers to use their credit cards to purchase goods and services. In return they gain benefits such as:

- the ability to earn points for spending on their card and redeem those points for a variety of services and goods; and
- discounts and special offers such as, for example, a 10% discount on purchases from a particular store.

5. Market definition

Provide a description of the market(s) in which the goods or services described at 2 (a) are supplied or acquired and other affected markets including: significant suppliers and acquirers; substitutes available for the relevant goods or services; any restriction on the supply or acquisition of the relevant goods or services (for example geographic or legal restrictions):

Most major credit card issuers in Australia offer reward programmes of one form or another as part of their credit card offering including National Australia Bank, Citibank, Westpac, Commonwealth Bank of Australia and ANZ. Credit card issuers offer reward programmes for a variety of reasons, the most significant of which is to encourage loyalty to their brand. There is a great deal of competition between credit card issuers to retain existing customers and attract new customers.

6. Public detriments

- (a) ***Detriments to the public resulting or likely to result from the notification, in particular the likely effect of the notified conduct on the prices of the goods or services described at 2 (a) above and the prices of goods or services in other affected markets:***

The proposed conduct will have no public detriment.

- (b) ***Facts and evidence relevant to these detriments:***

The proposed conduct will have no public detriment.

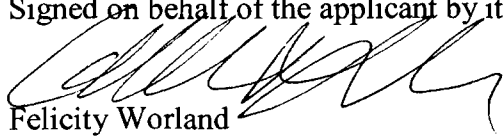
7. Further information

- (a) ***Name, postal address and contact telephone details of the person authorised to provide additional information in relation to this notification:***

Felicity Worland
 Australia and New Zealand Banking Group Limited
 Level 6, 100 Queen Street
 Melbourne Vic 3000
 Phone: 03 9683 9813
 Fax: 1800 030 962
 Email: Felicity.Worland@anz.com

Dated 21 Dec 07

Signed on behalf of the applicant by its duly authorised representative:


 Felicity Worland
 Senior Lawyer, Personal Customers Legal Group

