

Your Ref: GCG:PXG: 1006463  
Our Ref: C2009/219  
Contact Officer: John Rouw  
Contact Number: (03) 9290 1402



**Australian  
Competition &  
Consumer  
Commission**

4 February 2009

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Dear Ms Gilardoni

**Third line forcing notification N93744 lodged by Westpac Banking Corporation**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 19 January 2009.

Westpac proposes to enter into separate agreements with Citigroup Pty Ltd, Australian Settlements Limited, Members Equity Bank, GE Money and Indue Limited. Under the agreements, devised in light of proposed reforms to the Australian ATM system due to start in March 2009, retail-banking customers of each of these financial-services organisations will receive a discount on the Direct Charge Fee that would be payable to Westpac when these customers use a Westpac owned ATM.

Legal immunity conferred by the notification will commence on 2 February 2009.

On the basis of the information that you have provided, it is not intended that further action be taken in this matter at this stage. As with any notification, please note that the ACCC may act to remove the immunity afforded by the notification at a later stage if it is satisfied that the likely benefit to the public from the conduct will not outweigh the likely detriment to the public from the conduct.

This assessment has been made on the basis that Westpac and the counterparty organisations will disclose all relevant terms and conditions to prospective customers.

A copy of this letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact John Rouw on (03) 9290 1402.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Richard Chadwick', written over a horizontal line.

Dr Richard Chadwick  
General Manager  
Adjudication Branch