

Supplementary Submission to the ACCC by
Advanced Payment Systems Limited
Regarding APCA's Reauthorisation

October 2009

This supplementary submission is made to ensure that if reauthorisation of APCA is deemed essential by the ACCC, then at least mandatory access arrangements are put in place and consulted on and reviewed by a third party, such as the RBA.

APS still believes that APCA should not be reauthorised, but is well aware that the authorisation has been in place for a number of years and strong arguments will be made to retain the status. These arguments may include that revoking the authorisation could throw existing arrangements into disarray.

Enforcing an access arrangement would not disrupt the current arrangements, but would ensure the barriers put up by APCA are mitigated and improve the prospects for companies endeavouring to gain access.

The previous authorisation mentions the various processes in place which would prevent or reduce inappropriate behaviour. However, APS's experience raises considerable doubt about the efficacy of those safeguards. Paragraph 9.104 is interesting:

"The Commission, however, does not consider that the introduction of an effective access regime is a necessary pre-condition for the re-authorisation of the CECS Regulations and Manual. As noted, the current standards and procedures within CECS do not appear to be inappropriate or raise the (already high) barriers to entry".

From the experiences APS has gained in attempting to comply with the current standards and procedures within CECS, we can only conclude that the barriers are not only "already high" but are impenetrable if APCA so chooses.