



Greater Building Society Ltd. • ABN 88 087 651 956 • Licence No. 237476

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14 October 2009

The General Manager
Adjudication Branch
Australian Competition and Consumer Commission
GPO Box 3131
CANBERRA ACT 2601

Dear Sir

RE: Exclusive Dealing – Third Line Forcing Notification

Enclosed herewith is our Notice under section 93(1) of the Trade Practices Act 1974 together with our cheque in the sum of \$100.00 representing the lodgement fee.

The notification relates to an arrangement where customers of Greater Building Society Ltd (GBS) with a qualifying home loan will be entitled to obtain a 50¢ per litre credit at GBS branches on fuel purchases using a GBS voucher and their fuel receipts.

Please do not hesitate to contact the writer on (02)4921 9328 should you have any questions.

Yours faithfully

GREATER BUILDING SOCIETY LTD

Bruce Mackie
Legal and Corporate Affairs Manager

AUST. COMPETITION &
CONSUMER COMMISSION
CANBERRA

20 OCT 2009

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:

Greater Building Society Ltd ACN 087 651 956

N94274

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

Greater Building Society Ltd (“GBS”) is an approved deposit taking institution for the purposes of the Banking Act 1959 (Cth) and carries on the business of banking.

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

103 Tudor Street, Hamilton NSW 2303

2. Notified arrangement

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

Certain Home Loan products

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

GBS will offer to provide a credit of a 50¢ per litre on the purchase of fuel up to a maximum of 80 litres four times a month to those of its customers obtaining a qualifying home loan (see attachment). Credits are received by presentation at a GBS branch or by physical receipt by mail with an accompanying Fuel receipt and will be transferred to an existing GBS Transaction Account of the consumer's choice.

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:

Customers with a qualifying home loan.

- (b) Number of those persons:
- (i) At present time:
Nil
- (ii) Estimated within the next year:
Unknown
- (c) Where number of persons stated in item 3 (b) (i) is less than 50, their names and addresses:
N/A

4. Public benefit claims

- (a) Arguments in support of notification:
- Consumers can obtain a substantial saving on retail purchases of fuel;
 - Consumers have the option to elect not to receive the fuel saving when obtaining the product or services and the price of obtaining the product or services is not affected by their choice;
 - The product is unqualified and there are alternate products which the consumer can select which do not have the fuel saving;
 - There is no obligation to take up the fuel saving unless desired; and
 - The conduct would promote competition in the market as defined in question 5.
- The consumer can use the fuel saving at any retail fuel outlet they choose without qualification.
- (b) Facts and evidence relied upon in support of these claims:
- GBS presently only holds 2.3% of the market as defined in question 5;
- GBS only carries on business in selected regional areas of New South Wales and South East Queensland and as such it is unlikely that we could substantially lessen competition in the market; and
 - The market as defined in question 5 is a vigorous and highly competitive market with many possible alternate product and service providers.

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):

The Home Loan Lending market in New South Wales and Queensland and the retail fuel sales market in New South Wales and Queensland.

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:

Nil

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

N/A

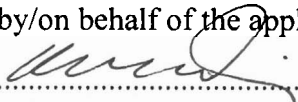
7. Further information

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

Bruce Mackie, C/- Greater Building Society Ltd, 103 Tudor Street, Hamilton NSW 2303.

Dated...14. 10. 2009.....

Signed by/on behalf of the applicant


.....

(Signature)

Bruce Edward Mackie
.....

(Full Name)

Greater Building Society Ltd
(Organisation)

Legal & Corporate Affairs Manager
(Position in Organisation)

Attachment

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| Effective Date means the date (on or after 2 November 2009) when the full interview was completed for a qualifying loan. |
| Fuel means petrol (lead and unleaded), LPG and Diesel. |
| Qualifying Home Loan means the following Greater loan products: Residential Home Loan, Investment Home Loan, Construction Loan, Vacant Land Loan, Mortgage Express Home Loan, and including loans at standard variable rates and fixed rate loans and provided the fixed rate is two years or more. Where it is a new loan it must be for \$40,000 or more, or if an additional loan it must be for \$20,000 or more. A Qualifying Home Loan excludes a Basic Home Loan, Line of Credit, or an add-on loan or other pre-existing Greater loan under \$20,000. |
| Voucher means those vouchers printed, coded and distributed by Greater. |
| Transaction Account means a Greater Access Savings, Pensioner Plus, Retirement Plus, Business Access, Greater Business Optimiser, Little Bucks, Christmas Club, Cash Management, Mortgage Express, Great Rate Savings, On Call or Bonus Saver Account. |

- Greater Building Society Ltd ("Greater") ABN 88 087 651 956 will offer Vouchers to customers who apply successfully for a Qualifying Home Loan from 2 November 2009. Vouchers can be redeemed at the rate of **50 cents per litre**, rounded up to the nearest 5 cents, calculated against the amount of litres displayed on a presented Fuel receipt. A limit of 80 litres applies per voucher redemption of only one presented Fuel receipt. The redeemed amount will be transferred directly into an existing Greater Transaction Account of your choice and is not redeemable in cash.

Vouchers will be issued for each Qualifying Home Loan at the time of the first advance of the loan.

- Vouchers will be issued for each Qualifying Home Loan to the named borrower and, where there is more than one, the first named borrower on the loan agreement.
- One Petrol Voucher will be allocated for every \$3,900 borrowed (rounded up) and the Vouchers allocated at four per month with the first expiry standing with end of month of the date of advance plus two months.
- Each Voucher to be redeemed must be received by the Greater on or by the expiry date on the Voucher (if not a Greater business day the immediately preceding Greater business day) attached to a single Fuel receipt either by:
 - presentation at a Greater branch; or
 - physical receipt via mail at the Greater's Customer Service Centre, Greater Building Society Ltd, PO Box 173, Hamilton NSW 2303.

- Vouchers become void if the Qualifying Home Loan is discharged prior to the Voucher's expiry date, or where either the Voucher or Fuel receipt is damaged, defaced or altered.

Where multiple receipts are lodged, they must be lodged with a valid Voucher for each receipt. Fuel receipts on presentation remain the property of Greater.

- Greater may vary, suspend or terminate these terms and conditions at any time by either altering the same on the Greater website, publishing a notice in a newspaper circulating nationally or otherwise notifying you in writing or by electronic means as Greater in its absolute discretion thinks fit on or before the effective date.
- Disputes are dealt with in accordance with the Greater's dispute resolution policy. Details are available on www.greater.com.au or available from any Greater branch.
- Greater shall, to the full extent permitted by law, not be liable for any loss, damage (including indirect or consequential) or injury (including personal injury) whatsoever suffered as a result of you accepting this offer.

Unused or expired Fuel Vouchers have no monetary or surrender value.