



**Australian
Competition &
Consumer
Commission**

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29 October 2009

Dear Sir/Madam

**Cuscal Limited, National Australia Bank Limited and rediATM network members
applications for authorisation A91175-A91177 - draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the applications for authorisation lodged by Cuscal Limited, National Australia Bank Limited and rediATM network members (the applicants) on 28 July 2009. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

The applicants are seeking authorisation to make and give effect to arrangements between Cuscal and the members:

- to not directly charge each other's cardholders for ATM transactions at their ATMs
- to cap the direct fee charged to foreign users of rediATMs
- about the deployment of ATMs by rediATM network members.

Draft determination

A copy of the ACCC's draft determination is attached, including a summary of its reasons. For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for five years. The ACCC's assessment is set out in Chapter 4 on pages 12 to 26.

Next steps

Once the ACCC issues a draft determination, the Applicants or any interested party may request that the ACCC convene a 'pre-decision conference'. A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination, you must notify the ACCC in writing by **13 November 2009**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **18 November 2009**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications.

Submissions will be placed on the ACCC's public register subject to any request for exclusion (guidelines are attached).

Timetable

The ACCC will continue to progress its assessment of the applications in a timely manner. An updated indicative timetable is set out below for your information.

28 July 2009	Lodgement of applications and supporting submission.
4 August 2009	Public consultation process begins.
21 August 2009	ACCC decision regarding interim authorisation.
28 October 2009	Draft determination.
November 2009	Public consultation on draft determination including any conference if called.
November/December 2009	Final determination.

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 Tess Macrae on (03) 9290 1835.

Yours sincerely



Gavin Jones
Director
Adjudication Branch

Interested Party List A91175 to A91177

Australian Bankers Association
Australian Payments Clearing Association
Australian Securities and Investments Commission
Bank of Queensland Limited
Bendigo and Adelaide Bank Limited
Blind Citizens Australia
Cashcard Australia Limited
Customers Ltd
Firefighters and Affiliates Credit Co-Operative Ltd
New England Credit Union
Reserve Bank of Australia
Vision Australia