



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2009/1325
Contact Officer: Gavin Jones
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18 November 2009

Ms Lisa Huett
Partner
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
MELBOURNE VIC 3000

By email: lisa.huett@mallesons.com

Dear Ms Huett

Australian Payments Clearing Association (APCA) applications for revocation and substitution A91153 & A91154 – draft determination

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for revocation and substitution lodged by APCA on 13 July 2009.

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 four on pages 16 to 23.

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 **4 December 2009**. If a pre-decision conference is called it will be held in Melbourne in the week commencing **14 December 2009**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Written submissions should also be lodged by **4 December 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.


Timetable

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

13 July 2009	Lodgement of application and supporting submission.
20 July 2009	Public consultation process begins.
27 October 2009	Lodgement of request for interim authorisation
30 October 2009	ACCC decision regarding interim authorisation.
18 November 2009	Draft determination.
November/December 2009	Public consultation on draft determination including any conference if called.
December 2009 - January 2010	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 Gavin Jones on 03 9290 1475.

Yours sincerely


Dr Richard Chadwick
General Manager
Adjudication Branch