

**Australian Competition  
&  
Consumer Commission**

**PRE-DECISION CONFERENCE**

**Minutes**

**Authorisation A91175-A91177  
lodged by Cuscal Limited, National Australia Bank Limited &  
rediATM network members**

**7 December 2009**

The information contained in this minute is not intended to be a verbatim record of the pre-determination conference but a summary of the matters raised. A copy of this document will be placed on the ACCC's public register.

**Pre-Decision Conference: Authorisation A91175-A91177 lodged by  
Cuscal Limited, National Australia Bank Limited & rediATM network members**

7 December 2009

ACCC Sydney  
Level 7, Angel Place  
123 Pitt Street  
Sydney NSW

ACCC Melbourne  
Level 34, The Tower  
360 Elizabeth Street  
Melbourne VIC

**Attendees:**

*Australian Competition and Consumer Commission*  
(all in Sydney)

Peter Kell, Deputy Chair  
Richard Chadwick, General Manager, Adjudication Branch  
Gavin Jones, Director, Adjudication Branch  
Tess Macrae, Project Officer, Adjudication Branch

*Interested Parties*

*Cuscal Limited*  
(in Sydney)

David Heine, General Manager, Product and Operations  
Colin Sultana, Acting Head of Department, Product and Operations

(in Melbourne)

Ronen Atzmon, General Counsel

*National Australia Bank*  
(in Sydney)

Nicholle Lindner, Strategy & Business Development

(in Melbourne)

Ann-Michel Greenwood, ATM Channel Manager, Direct Channels  
Shannon Lindner, Senior Legal Counsel

*Freehills*  
(in Sydney)

Karen Gibbons, Senior Associate

*Blake Dawson*  
(in Sydney)

Ayman Guirguis, Partner  
Ross Zaurrini, Senior Associate

*Vision Australia*  
(in Sydney)

Michael Simpson, General Manager, Policy & Advocacy  
Sue Crane, Policy & Advocacy

(in Melbourne)

Brandon Ah Tong-Pereira, Policy Officer, Policy & Advocacy

*Blind Citizens Australia*  
(in Sydney)

Wayne Hawkins, National Policy Officer

*Cashcard Australia Limited*  
(in Sydney)

Phil Timms, Senior Manager, Industry Relations

Conference commenced: 10.50am

### *Introduction*

**Deputy Chair Kell** welcomed attendees, made some introductory remarks outlining the purpose of the conference, declared the pre-decision conference open and invited the party that called the conference, Mr Simpson, on behalf of Vision Australia, to make an opening statement.

### *Opening Statements*

**Mr Simpson**, Policy Officer, Vision Australia, stated that the purpose of calling the pre-decision conference was to emphasise some of the points made in Vision Australia's earlier submission about the issue of access to ATMs for the vision impaired.

Mr Simpson stated that some banks had responded well to the access needs of vision impaired users, including NAB, with almost 100 percent of NAB ATMs audio-enabled.

However, while most banks are responding to the need for audio-enabled ATMs, often credit unions and building societies have ignored this need.

Mr Simpson stated that of the approximately 30,000 ATMs deployed in Australia, only a limited number, operated by the larger banks, are audio-enabled. Consequently, in order to have access to audio-enabled ATMs vision impaired customers are restricted to banking with the major banks.

Mr Simpson said that while the ACCC had concluded in its draft determination that the proposed arrangements would benefit vision impaired customers of other members of the rediATM network, few vision impaired customers bank with a credit union or building society and therefore not many additional customers would have access to direct fee free transactions at NAB audio-enabled ATMs as a result of the arrangements.

However, Mr Simpson stated that existing vision impaired customers using NAB ATMs would be disadvantaged by any redeployment of those ATMs.

Mr Simpson expressed concern at the delay in ATM operators other than the major banks rolling out audio-enabling ATMs.

Mr Simpson stated that Vision Australia had written to all banks, building societies and credit unions about the rollout of audio-enabled ATMs. While Vision Australia has received positive responses from the major banks, including NAB, credit unions and building societies have generally been unresponsive saying that such a roll out was not part of their current plans and they could not see the benefit to them of such a rollout.

Mr Simpson finished by requesting that the ACCC consider requiring that:

- 1) no currently audio-enabled NAB ATMs be redeployed
- 2) all ATMs deployed by rediATM network members in the future be audio-enabled.

Mr Simpson stated that it was his understanding that all ATMs come with the necessary hardware to be audio-enabled and it was then up to the ATM operator to install the relevant software when the ATM was deployed to allow it to be audio-enabled. Mr Simpson argued that, given this, it was not clear why rediATM members could not start audio-enabling their ATMs before the proposed start date nominated by Cuscal, being 2011.

**Deputy Chair Kell** asked Mr Heine of Cuscal Limited, on behalf of the applicants, if he wished to address the conference.

**Mr Heine** stated that Cuscal acknowledged Vision Australia's concerns and made the point that the intention of the arrangements the subject of the application for authorisation is to grow the rediATM network of ATMs, including audio-enabled ATMs. Mr Heine argued that any redeployment of an audio-enabled ATM, while potentially reducing access for customers in the area the ATM is redeployed from, produced a commensurate benefit in terms of increased access in the area the ATM was

redeployed to. Mr Heine reiterated that, in any event, the purpose of the arrangements was to grow, not reduce, the number of ATMs in the rediATM network.

Mr Heine explained that while it was correct that non NAB ATMs had the necessary hardware to be audio-enabled, the software in these ATMs needed to be upgraded to allow them to be audio-enabled and it was proposed this occur by 2011.

Mr Heine stated that the plans to audio-enable these ATMs and the timetable for this to occur would not be affected by implementation of the arrangements for which authorisation is sought.

*Comments from other parties and general discussion*

**Deputy Chair Kell** opened the conference for discussion and invited additional questions about the issues raised.

**Ms Greenwood**, of National Australia Bank Limited, confirmed that all NAB ATMs are audio-enabled. Ms Greenwood noted that ATMs are frequently redeployed as part of NAB's business, for example in response to inadequate numbers of customers accessing the ATM or the lease at the site at which the ATM is located expiring. Ms Greenwood stated that since interim authorisation was granted to the proposed arrangements around 70 new NAB ATMs, all of which are audio-enabled, have been deployed, and 16 ATMs redeployed. Ms Greenwood said all of these redeployments were pre-planned and none were as a result of the rediATM network arrangements.

Ms Greenwood explained that in the four months prior to interim authorisation being granted 10 NAB ATMs were redeployed and that redeployments would continue to occur irrespective of the NAB joining the rediATM network.

Ms Greenwood noted that ATMs are never removed from the NAB network altogether. Rather, they are redeployed to locations where there is stronger demand and all decisions to redeploy ATMs are in line with the NAB's strategy of growing the network.

**Mr Hawkins**, of Blind Citizens Australia, stated that Blind Citizens Australia shares Vision Australia's concerns about the arrangement. Mr Hawkins stated that there is no provision in the proposed arrangement that ensures that, where there is duplication in the ATM network, the non audio-enabled ATM owned by another member of the network is redeployed rather than the audio-enabled NAB ATM.

Mr Hawkins asked for clarification about whether all future NAB ATMs would be audio-enabled.

**Ms Greenwood** stated that all NAB ATMs deployed in the future will be audio-enabled.

**Mr Simpson** reiterated that when approached by Vision Australia most building societies and credit unions indicated that they had no plans to audio-enable their ATMs. Mr Simpson asked what Cuscal's plans were in regard to audio-enabling ATMs.

**Mr Heine** explained that Cuscal's role in the rediATM network is to ensure that members comply with network scheme rules. Mr Heine said that each member remained responsible for its individual deployment strategy. Mr Heine reiterated that it is the scheme's intention to have audio-enabling software rolled out in the first part of 2011.

**Mr Simpson** noted that the Australian Bankers' Association has guidelines about accessibility of facilities and inquired as to why some of Cuscal's members had not adhered to these guidelines by audio-enabling their ATMs.

**Mr Heine** noted that he cannot speak on behalf of individual members of the rediATM network. Mr Heine did note that many credit unions are not members of the Australian Bankers' Association.

Mr Heine also reiterated that while he can not speak for individual rediATM network members, Cuscal's letter to the ACCC dated 8 October 2009 clearly sets out Cuscal's intention to roll out the software to audio-enable rediATM network members' ATMs in 2011.

**Mr Ah Tong-Pereira**, from Vision Australia, reiterated some of the points made earlier and also stated that 2011 is not a reasonable timeframe for the rollout of audio-enabling of rediATMs given that necessary technology has been available since 2001 and currently none of the network's 1400 (non NAB) ATMs are audio-enabled.

**Deputy Chair Kell** noted earlier comments that audio-enabled NAB ATMs are regularly redeployed as part of NAB's general business and asked how these redeployments are handled by vision impaired customers at present.

**Mr Simpson** stated that one service provided by Vision Australia is training for vision impaired customers in accessing ATMs. It is common for Vision Australia to receive requests to help individuals with training for accessing an ATM, including when the ATM they have previously accessed is relocated.

Mr Simpson also stated that Vision Australia provides a service, in collaboration with the banks, informing vision impaired people of where audio-enabled ATMs are located and when they are moved.

**Deputy Chair Kell** enquired as to whether the banks are good at updating details of the locations of audio-enabled ATMs.

**Mr Simpson** responded that the banks are good at refreshing this information. However, although the banks' websites are generally accessible to vision impaired consumers, sometimes the information is not readily usable in terms of navigating to the relevant page.

**Deputy Chair Kell** sought confirmation about whether the proposed rollout of audio-enabled ATMs by rediATM members from 2011 was public. Mr Heine confirmed that it was.

**Mr Hawkins** enquired about the process for deciding which ATM is moved where there is a NAB ATM and a rediATM branded ATM in the same location.

**Mr Heine** stated that in these cases it was left to the two ATM operators to decide what redeployment would take place but that such duplication resulting in redeployment was rare.

**Mr Hawkins** noted that until recently NAB had not been part of the rediATM network.

**Mr Heine** noted that this was correct but reiterated that audio-enabling of rediATMs would be rolled out in 2011 and as such any disruption experienced by vision impaired customers as a result of redeployment would be temporary. Mr Heine stated that, more generally, he expected the range of any duplication as a result of NAB joining the network would be small.

*Closing remarks*

**Deputy Chair Kell** then called for any further comments. No further comments were made. The Deputy Chair closed the conference by noting that parties now had a further opportunity to make written submissions in respect of its draft determination. Deputy Chair Kell requested that any further submission be provided by 21 December 2001.

Deputy Chair Kell also explained that the ACCC would be writing to those who attended the conference to provide participants with a record of the conference, which would also be placed on the ACCC's public register.

Conference closed: 11.40am