



**Australian
Competition &
Consumer
Commission**

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Our Ref: Trackit 36108
Contact Officer: Gavin Jones
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8 January 2009

Chris Hamilton
Chief Executive Officer
Australian Payments Clearing Association
GPO Box 4893
SYDNEY NSW 2001

Dear Mr Hamilton

Third line forcing notification N93735 lodged by Westpac Banking Corporation – interested party consultation

I am writing to you as a party that may be interested in providing a submission to the Australian Competition and Consumer Commission (ACCC) in relation to a third line forcing notification lodged by Westpac Banking Corporation (Westpac) on 30 December 2008.

A summary of the notification process is attached to this letter.

The notification

Under the notification lodged with the ACCC on 30 December 2008, Westpac proposes to supply Automated Teller Machine (ATM) services to retail customers of HSBC Bank Australia Limited ('HSBC') without those HSBC customers having to pay a direct charge fee – a fee that Westpac plans to otherwise levy on non-Westpac customers using its ATMs pursuant to proposed reforms to the ATM system.

A copy of Westpac's notification is attached for your information.

Opportunity to make a submission

As a potentially interested party, you are invited to make a written submission to the ACCC regarding the likely public benefit and detriment associated with the conduct the subject of the notification lodged on 30 December 2008.

The ACCC asks for submissions to be in writing so they can be made publicly available. They are placed on a public register for this purpose. The ACCC may, where it is deemed appropriate, supplement written submissions with discussions with relevant parties on a mutually convenient basis.

Persons lodging a submission with the ACCC may request that information included in the submission be treated as confidential and not placed on any public register. If a request for confidentiality is made in relation to a notification the applicant is expected to provide the ACCC with reasons justifying its claim for confidentiality. The ACCC will not grant confidentiality to documents which are clearly not of a confidential nature unless there are compelling reasons to do so. Guidelines for seeking confidentiality are attached for your information.

If you wish to lodge a submission please address the submission to:

The General Manager
Adjudication Branch
Australian Competition and Consumer Commission
PO Box 1199
DICKSON ACT 2602

Submissions can also be lodged by email to adjudication@acc.gov.au.

If you intend to lodge a submission, you should do so by **23 January 2009**. You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding this application. In particular, APCA may wish forward this letter to relevant APCA members.

If you would like to discuss any of the issues raised in this letter, please do not hesitate to contact me on (03) 9290 1475.

A copy of this letter has been placed on the ACCC's public register.

Yours sincerely



Gavin Jones
Director
Adjudication Branch
Enc.