



**Australian
Competition &
Consumer
Commission**

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4 August 2009

Dear Sir/Madam

**Cuscal Limited, National Australia Bank Limited and rediATM network members
applications for authorisation A91175-A91177
- interested party consultation**

The Australian Competition and Consumer Commission (the ACCC) has received applications for authorisation from Cuscal Limited, National Australia Bank Limited and rediATM network members (the applicants). The ACCC invites you to comment on the applications. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

In broad terms, the applicants (as well as each future member of the rediATM Network) are seeking authorisation to make and give effect to arrangements between Cuscal and the Members of the rediATM Network:

- about the deployment of ATMs in the rediATM Network
- to not directly charge cardholders of members of the rediATM Network for the supply of ATM transaction services at a rediATM
to not charge cardholders of non-members of the rediATM Network a direct charge fee which exceeds the Maximum Direct Charge for the supply of ATM transaction services at a rediATM as set by Cuscal in consultation with the members of the rediATM Network
- to refuse to give a discount to a foreign cardholder in relation to the supply of ATM transaction services at a rediATM.

A full copy of the applications for authorisation is available on the ACCC's website <www.accc.gov.au/AuthorisationsRegister>. Alternatively, you can contact Tess Macrae on (03) 9290 1835 to obtain a hard copy of the applications and submission.

Interim authorisation

The applicants have requested interim authorisation to make and give effect to the arrangements.

The ACCC endeavours to deal with requests for interim authorisation quickly. In making an assessment as to whether it is appropriate to grant interim authorisation, the ACCC is not required to undertake a full assessment of the benefit and detriment likely to arise as a result of the proposed conduct.

The ACCC decides whether to grant interim authorisation on a case by case basis. Should an applicant request interim authorisation, the ACCC will usually consider a range of factors, including any potential harm to the applicant and other parties if interim is or is not granted, possible benefit and detriment to the public, the urgency of the matter and whether the market would be able to return to substantially its pre-interim state if the ACCC should later deny authorisation.

The ACCC notes the tight timeframe within which it has been asked to consider interim authorisation. The ACCC endeavours to deal with requests for interim authorisation quickly. The ACCC therefore invites you to make a submission on the request for interim authorisation by **12 August 2009** – submissions can be provided by email to adjudication@acc.gov.au.

Request for submissions

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements.

If you intend to provide a submission in relation to the applications for authorisation, please do so by **25 August 2009**.

Alternatively, if you would like to provide comments orally, please contact Tess Macrae on (03) 9290 1835 to organise a suitable time.

Submissions, including a record of oral submissions, will be placed on the ACCC's public register subject to any request for exclusion (guidelines are attached).

Timetable

The ACCC will progress its assessment of the applications in a timely manner. An 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.
12 August 2009	Closing date for submissions on interim authorisation.
Late August 2009	ACCC decision regarding interim authorisation.

25 August 2009	Closing date for submissions from interested parties.
September 2009	Applicant responds to issues raised in the public consultation process.
October/November 2009	Draft determination.
October/November 2009	Public consultation on draft determination including any conference if called.
December 2009 / January 2010	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the applications at the draft and final determination stages. If you are able to **please provide a nominated contact email address for future correspondence.**

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the applications.

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

Sue Philp
 Director
 Adjudication Branch

Interested Party List A91175 to A91177

ABS Building Society Ltd
Adelaide Bank Limited
AMP Bank Limited
AMP Credit Union Limited
Australia and New Zealand Banking Group Limited
Australian Bankers Association
Australian Defence Credit Union Limited
Australian Payments Clearing Association
Australian Securities and Investments Commission
AWA Credit Union Ltd
B&E Limited
Bank of Queensland Limited
BankWest
Bendigo and Adelaide Bank Limited
Big Sky Credit Union Ltd
Blind Citizens Australia
Broken Hill Community Credit Union
CAPE Credit Union Limited
CHOICE
Coles Group Limited
Commonwealth Bank of Australia
Community CPS Australia Limited
Community First Credit Union
Consumer Action Law Centre
Consumer Affairs Victoria
Consumer Credit Legal Centre NSW
Consumer Law Centre ACT
Credit Union Australia Ltd
Customers Ltd
Defence Force Credit Union Limited
EECU Limited
ENCOMPASS Credit Union Limited
Firefighters and Affiliates Credit Co-Operative Ltd
Ford Co-Operative Credit Society Limited
Greater Building Society Ltd
Heritage Building Society
HSBC Bank Australia Limited
Hume Building Society
IMB Banking & Financial Services
IMB Ltd
ING Bank (Australia) Limited
ING Direct
Lifeplan Australia Building Society Limited
Macquarie Bank Limited
Maritime Mining & Power Credit Union NSW
Mecu Limited
Melbourne University Credit Union Limited
Members Equity Bank

MoneySwitch Limited
New England Credit Union
New South Wales Teachers Credit Union
Police Association Credit Co-operative Limited
Police Department Employees' Credit Union Limited
Queenslanders Credit Union Limited
Reserve Bank of Australia
Savings and Loans Credit Union
Select Credit Union
Service One Members Banking
SGE Credit Union Limited
Southern Cross Credit Union
St George Bank
The Rock Building Society Limited
Treasury – Financial System Division
Victoria Teachers Credit Union Limited
Vision Australia
Westpac Banking Corporation
Woolworths Employees' Credit Union