



**Australian
Competition &
Consumer
Commission**

GPO Box 520
Melbourne Vic 3001

Level 35, The Tower
360 Elizabeth Street
Melbourne Vic 3000

tel: (03) 9290 1800
fax: (03) 9663 3699

www.accc.gov.au

Our Ref: C2010/81
Contact Officer: Tess Macrae
Contact Phone: (03) 9290 1835

15 April 2010

Dear Sir/Madam

Australian Payments Clearing Association Limited applications for revocation and substitution of authorisations A91209 and A91210 - draft determination

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the applications for authorisation lodged by the Australian Payments Clearing Association Limited (APCA) on 7 January 2010. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

APCA seeks revocation and substitution of authorisations A90967 and A90968. These authorisations are due to expire on 14 July 2010. APCA is seeking replacement authorisation for the suspension and termination provisions of the Bulk Electronic Clearing System (BECS) regulations.

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 13 to 19.

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 **30 April 2010**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **7 May 2010**.

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.

7 January 2010	Lodgement of applications and supporting submission.
8 January 2010	Public consultation process begins.
14 April 2010	Draft determination.
April/May 2010	Public consultation on draft determination including any conference if called.
May 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 Tess Macrae on (03) 9290 1835.

Yours sincerely



for Dr Richard Chadwick
General Manager
Adjudication Branch

Interested Parties

Australian Securities and Investments Commission

CHOICE

Commonwealth Bank of Australia

Council of Small Business Organisations of Australia Ltd

Woolworths Limited