



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: 42245  
Contact Officer: John Rouw  
Contact Phone: (03) 9290 1402

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](http://www.accc.gov.au)

3 June 2010

Dear Madam/Sir

**Suncorp-Metway Ltd and Bendigo and Adelaide Bank Ltd – application for  
authorisation A91232 and A91233 – interested party consultation**

The Australian Competition and Consumer Commission (the ACCC) has received an authorisation application from Suncorp-Metway Ltd and Bendigo and Adelaide Bank Ltd. The ACCC invites you to comment on the application. Attached is a summary of the authorisation process, including how to make a submission to the ACCC.

Suncorp-Metway and Bendigo and Adelaide Bank propose to agree not to ‘direct charge’ each other’s cardholders for Automatic Teller Machine transactions at their ATMs.

A copy of the application for authorisation and a supporting submission is attached and is also available on the ACCC’s website <[www.accc.gov.au/AuthorisationsRegister](http://www.accc.gov.au/AuthorisationsRegister)>. Alternatively, you can contact John Rouw on (03) 9290 1402 to obtain a hard copy of the application and submission.

**Interim authorisation**

Suncorp-Metway and Bendigo and Adelaide Bank have requested interim authorisation for the conduct noted above.

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 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.

**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 application for authorisation, please do so by **28 June 2010**. Submissions in relation to interim authorisation should be provided by **16 June 2010**.

Alternatively, if you would like to provide comments orally, please contact John Rouw on (03) 9290 1402 to organise a suitable time.

Submissions, including records 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 application in a timely manner. An indicative timetable is set out below for your information.

<b>31 May 2010</b>	Lodgement of application and supporting submission.
<b>16 June 2010</b>	Closing date for submissions on interim authorisation.
<b>28 June 2010</b>	Closing date for submissions on substantive application.
<b>June 2010</b>	ACCC decision regarding interim authorisation.
<b>July 2010</b>	Applicant responds to issues raised in the public consultation process.
<b>August 2010</b>	Draft determination.
<b>August/September 2010</b>	Public consultation on draft determination including any conference if called.
<b>September/October 2010</b>	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 application 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 application.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please contact John Rouw on (03) 9290 1402.

Yours sincerely

A handwritten signature in black ink, appearing to be 'GJ' or similar initials, written in a cursive style.

Gavin Jones  
Director  
Adjudication Branch



**A91232 Suncorp-Metway Ltd and Bendigo and Adelaide Bank Ltd –  
initial consultation addressees list**

ABS Building Society
AMP Bank
AMP Credit Union
Australian Securities and Investments Commission
Australia and New Zealand Banking Group
Australian Bankers Association
Australian Defence Credit Union
Australian Payments Clearing Association
AWA Credit Union
B&E
BankWest
Big Sky Credit Union
Blind Citizens Australia
CAPE Credit Union
Choice
Coles Group
Commonwealth Bank of Australia
Consumer Action Law Centre
Customers
Defence Force Credit Union
EECU
Encompass Credit Union
Firefighters and Affiliates Credit Co-operative
Ford Co-operative Credit Society
Greater Building Society
Heritage Building Society
HSBC Bank Australia
Hume Building Society
IMB
ING Bank (Australia)

ING Direct
International First Data
Lifeplan Australia Building Society
Macquarie Bank
Maritime Mining & Power Credit Union NSW
Mecu
Melbourne University Credit Union
Members Equity Bank
MoneySwitch
New England Credit Union
Police Association Credit Co-operative
Police Department Employees' Credit Union
Queenslanders Credit Union
Reserve Bank of Australia
Select Credit Union
SGE Credit Union
St George Bank
The Rock Building Society
Treasury Department – Financial System Division – Australian Government
Victoria Teachers Credit Union
Vision Australia
Westpac Banking Corporation