



**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: C2010/522
Contact Officer: Gina D'Ettorre
Contact Phone: (03) 9290 1483

29 July 2010

Dear Sir/Madam

**Suncorp Metway Limited and Bendigo & Adelaide Bank Limited – applications for
authorisation A91232 & A91233 – draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by Suncorp-Metway Limited and Bendigo and Adelaide Bank Limited (the Applicants) on 31 May 2010. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

The Applicants are seeking authorisation for to agree not to direct charge each others' cardholders for ATM transactions at their ATMs. The draft determination proposes to grant authorisation for five years.

Draft determination

A copy of the ACCC's draft determination is attached, including a summary of its reasons. For the reasons set out in Chapter 4 of its draft determination, the ACCC proposes to grant authorisation for 5 years.

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 **Friday, 13 August 2010**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **Thursday, 19 August 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 application in a timely manner. An updated indicative timetable is set out below for your information.

31 May 2010	Lodgement of application and supporting submission.
3 June 2010	Public consultation process begins.
24 June 2010	ACCC granted interim authorisation.
29 July 2010	Draft determination.
14 August 2010	Closing date for requesting a conference.
19 August 2010	Closing date for submissions on draft determination.
September 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 Gina D'Ettorre on 03 9290 1483.

Yours sincerely



Gavin Jones

Director
Adjudication Branch

A91232 & A91233 Suncorp-Metway Ltd and Bendigo and Adelaide Bank Ltd – draft determination - 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
Bank of Queensland
BankWest
Big Sky Credit Union
Blind Citizens Australia
CAPE Credit Union
Choice
Coles Group
Commonwealth Bank of Australia
Consumer Action Law Centre
Cuscal
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
Lifepan Australia Building Society
Macquarie Bank
Maritime Mining & Power Credit Union NSW
Mecu
Melbourne University Credit Union
Members Equity Bank
MoneySwitch
National Australia Bank
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
The Rock Building Society
Treasury Department – Financial System Division – Australian Government
Victoria Teachers Credit Union
Vision Australia
Westpac Banking Corporation