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## Form G

Commonwealth of Australia  
*Trade Practices Act 1974 — subsection 93 (1)*  
**NOTIFICATION OF EXCLUSIVE DEALING**

To the Australian Competition and Consumer Commission:

Notice is hereby given, in accordance with subsection 93 (1) of the *Trade Practices Act 1974*, of particulars of conduct or of proposed conduct of a kind referred to subsections 47 (2), (3), (4), (5), (6), (7), (8) or (9) of that Act in which the person giving notice engages or proposes to engage.

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

**1. Applicant**

(a) **Name of person giving notice:**

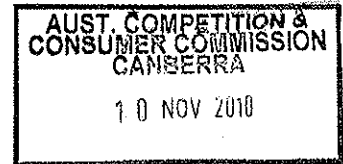
N95171 University of Sydney ABN 15 211 513464 ('University')

(b) **Short description of business carried on by that person:**

The University is engaged in the business of the provision of teaching services and all other services associated with the instruction and training of students who are enrolled at the University.

(c) **Address in Australia for service of documents on that person:**

Martin Algie  
 Consulting Solicitor  
 MIA Consulting Pty limited  
 95 Drummond Street  
 P.O Box 282  
 Carlton South 3053  
 Phone (03) 90389100  
 Mobile: 0421180636



**2. Notified arrangement**

(a) **Description of the goods or services in relation to the supply or acquisition of which this notice relates:**

This notice relates to the student campus card with reloadable prepaid Visa payment functionality which will be issued by the University to all students who are enrolled at the University (the 'Card'). The Card serves principally as a form of identification and can also be used by the students to perform study-related activities such as borrowing books, printing and photocopying at University libraries. The Card includes a reloadable prepaid Visa

payment functionality issued and supported by Australia and New Zealand Banking Group Limited (ABN 11 005 357 522) (ANZ).

Students may choose to activate or leave the Card unactivated and not obtain any services from the ANZ. If activated, the Visa payment functionality enables students to pay for goods and services using the Card on and off campus (including printing and photocopying at the University libraries) and at online merchants wherever Visa prepaid cards are accepted electronically.

**(b) Description of the conduct or proposed conduct:**

The University proposes to supply the Card to existing students and new students on enrolment without charge on the basis that the reloadable prepaid Visa payment functionality of the Card is the means by which students will pay for printing and photocopying at University libraries and any fines that they may incur at University libraries (the '**proposed purposes**'). This will require the students to activate the reloadable prepaid Visa payment functionality of the Card by registering their details at the dedicated website and load funds onto their Card in order to (and if they want to) perform the proposed purposes. Students who did not want to activate the Card for the proposed purposes will be able to receive a free card to use for the proposed purposes from the Campus Card Centre of the University.

**3. Persons, or classes of persons, affected or likely to be affected by the notified conduct**

**(a) Class or classes of persons to which the conduct relates:**

The class of persons affected or likely to be affected are present and future students of the University.

**(b) Number of those persons:**

**(i) At present time:**

Nil

**(ii) Estimated within the next year:  
(Refer to direction 6)**

Approximately 50,000 students

**(c) Where number of persons stated in item 3 (b)(i) is less than 50, their names and addresses:**

Not applicable.

#### 4. **Public benefit claims**

(a) **Arguments in support of notification:**

*(Refer to direction 7)*

The proposed conduct represents a public benefit as the Card can be used for the proposed purposes without additional charge to students (including reloads without charge at kiosks in the University) or the University. But for the conduct, the same Visa functionality with any other financial institution (which most, if not all, students would obtain) would cost students a relatively significant amount in initial and ongoing fees.

Students who do not wish to register their Card or casual users of University services will be able to purchase/receive for free in the case of Students a card for the proposed purposes. Use of the Card or the casual use card will eliminate the costs of cash handling associated with the proposed purposes and the costs of a cash float in order to provide change. Eliminating cash will also increase the security of staff and equipment associated with the proposed purposes.

(b) **Facts and evidence relied upon in support of these claims:**

Students of the University will receive a direct benefit in the form of:

- The convenience of being able to use the same payment functionality on the one card on campus to pay for all photocopying costs, printing costs, library fines and goods and services where the merchants accept Visa prepaid cards.
- Students will be able to pay for the proposed purposes without additional charge for using the payment functionality and to load value onto their Cards on campus without charge.
- Students will be able to view a transaction history of amounts spent on the proposed purposes.

The University incurs costs associated with the current system for electronic payment for the proposed purposes as well as cash (float and cash management, including security) and will no longer incur these costs. Saving the University these costs is necessarily a public benefit as it facilitates the University using those funds (which are taxpayer funds) for the purposes of providing further education, rather than administering a payment facility.

The proposed purposes are provided in areas of limited supervision by a small number of staff and at night. Eliminating cash for the proposed purposes will avoid the need to utilise these services, thereby increasing the security of staff and equipment.

**5. Market definition**

**Provide a description of the market(s) in which the goods or services described at 2 (a) are supplied or acquired and other affected markets including: significant suppliers and acquirers; substitutes available for the relevant goods or services; any restriction on the supply or acquisition of the relevant goods or services (for example geographic or legal restrictions):**

*(Refer to direction 8)*

The market is the market for the provision of financial facilities and the market for the provision of a payment facility for photocopying, library fines and other university services.

**6. Public detriments**

- (a) Detriments to the public resulting or likely to result from the notification, in particular the likely effect of the notified conduct on the prices of the goods or services described at 2 (a) above and the prices of goods or services in other affected markets:**

*(Refer to direction 9)*

The proposed conduct will have no public detriment on the basis that the Card is an opt-in facility and the fact that, if a student chooses not to opt-in, he or she can obtain the same functionality (other than the Visa functions) by receiving or obtaining a standard reloadable card from the University, as is currently available.

Furthermore, the proposed conduct will not substantially lessen competition in either of the relevant markets, the latter because it is open to any student not to activate the Card and receive a standard reloadable card from the University in order to pay for photocopying.

- (b) Facts and evidence relevant to these detriments:**

The proposed conduct will have no public detriment.

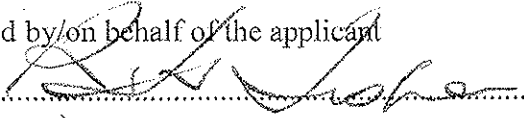
**7. Further information**

- (a) Name, postal address and contact telephone details of the person authorised to provide additional information in relation to this notification:**

Martin Algie  
Consulting Solicitor  
MIA Consulting Pty limited  
95 Drummond Street  
P.O Box 282  
Carlton South 3053  
Phone (03) 90389100  
Mobile: 0421180636

Dated..... 04.11.2010 .....

Signed by/on behalf of the applicant

  
.....  
(Signature)

RICHARD HAMILTON FISHER  
.....  
(Full Name)

THE UNIVERSITY OF SYDNEY  
.....  
(Organisation)

GENERAL COUNSEL  
.....  
(Position in Organisation)

## DIRECTIONS

1. In lodging this form, applicants must include all information, including supporting evidence that they wish the Commission to take into account in assessing their notification.

Where there is insufficient space on this form to furnish the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the applicant.

2. If the notice is given by or on behalf of a corporation, the name of the corporation is to be inserted in item 1 (a), not the name of the person signing the notice, and the notice is to be signed by a person authorised by the corporation to do so.
3. Describe that part of the business of the person giving the notice in the course of which the conduct is engaged in.
4. If particulars of a condition or of a reason of the type referred to in section 47 of the *Trade Practices Act 1974* have been reduced in whole or in part to writing, a copy of the writing is to be provided with the notice.
5. Describe the business or consumers likely to be affected by the conduct.
6. State an estimate of the highest number of persons with whom the entity giving the notice is likely to deal in the course of engaging in the conduct at any time during the next year.
7. Provide details of those public benefits claimed to result or to be likely to result from the proposed conduct including quantification of those benefits where possible.
8. Provide details of the market(s) likely to be affected by the notified conduct, in particular having regard to goods or services that may be substitutes for the good or service that is the subject matter of the notification.
9. Provide details of the detriments to the public which may result from the proposed conduct including quantification of those detriments where possible.