



Form G

Commonwealth of Australia

Competition and Consumer Act 2010 — 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 *Competition and Consumer Act 2010*, 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:
(Refer to direction 2)

N95620

J Stay Pty Limited ABN 32 152 774 457 (J Stay)

- (b) Short description of business carried on by that person:
(Refer to direction 3)

Provision of online booking and payment facility for accommodation and other travel services

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

Anna Pritchard
Head of Legal - Competition
Qantas Airways Limited
203 Coward Street
Mascot NSW 2020

2. Notified arrangement

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

This notification concerns the introduction of a new online facility operated by J Stay for the booking and payment of accommodation and other travel services. Customers will have an option of paying for accommodation and/or other travel services for no additional fee on the condition they pay using a MasterCard Debit card.

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

J Stay supplying, or offering to supply, a booking and payment facility for accommodation and other travel services at a particular price from time to time on condition that the customer acquires the services of MasterCard and pays for the services using a Debit MasterCard.

(Refer to direction 4)

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:

(Refer to direction 5)

Customers in Australia who book and pay for accommodation and/or other travel services using the J Stay online facility.

- (b) Number of those persons:

- (i) At present time:

Not applicable.

- (ii) Estimated within the next year:

(Refer to direction 6)

J Stay anticipates bookings to average approximately 5,000 per month over the next year.

- (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 notified conduct will benefit the public as it will:

- provide customers with a choice in payment methods;
- allow customers who use a MasterCard Debit card to avoid paying additional fees as part of the booking process and therefore obtain lower-priced accommodation and/or other travel services; and
- encourage competitors to provide similar benefits and reduced prices for consumers.

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

See 2(b) above.

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 markets likely to be relevant to the notified conduct are the markets in Australia for:

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- the sale of accommodation and other travel services through direct and indirect channels; and
- the provision of credit, debit and/or charge cards and other non-cash payment facilities.

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)

We submit that there is no public detriment associated with the conduct. The notified conduct simply enables customers in Australia to book and pay for accommodation and/or other travel services using a payment method that does not incur additional fees.

J Stay customers remain free to book and pay for accommodation and other travel services without having to acquire products from MasterCard. Similarly, MasterCard customers remain free to obtain and use direct debit cards and other payment facilities without having to book or pay for accommodation or other travel services from J Stay.

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

See 6(a) above.

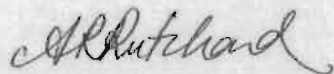
7. Further information

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

Anna Pritchard
Head of Legal - Competition
Qantas Airways Limited
203 Coward Street
Mascot NSW 2020
Ph 02 9691 5515

Dated 27 October 2011

Signed by/on behalf of the applicant



Anna Pritchard
Qantas Airways Limited
Head of Legal - Competition

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 the 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 *Competition and Consumer Act 2010* 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.

