



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2011/994
Contact Officer: Imogen Hartcher-O'Brien
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21 March 2012

Dear Sir/Madam

**Australian Payments Clearing Association Limited application for re- authorisation
A91281 to A91283
- draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for revocation and substitution lodged by the Australian Payments Clearing Association Ltd (APCA) on 25 November 2011. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

APCA has lodged an application for revocation of authorisations A91016 to A91018 in relation to the High Value Clearing System (HVCS) Regulations and Procedures (previously authorised on 14 February 2007) and substitution of new authorisations in relation to the suspension and termination of HVCS membership and the requirement that members use the SWIFT payment delivery system in clearing and settling payments.

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 in substitution for 10 years. The ACCC's assessment is set out in Chapter 4 of the draft determination.

Next steps

Once the ACCC issues a draft determination, APCA or any interested party may make a submission and/or request that the ACCC convene a 'pre-decision conference'.

If you wish to make a written submission in response to the ACCC's draft determination please lodge your submission by **5 April 2012**.

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 **5 April 2012**.

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 progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

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| 25 November 2011 | Lodgement of applications and supporting submission. |
| 1 December 2011 | Lodgement of application for interim authorisation. |
| 7 December 2011 | Public consultation process begins. |
| 23 December 2011 | Closing date for submissions from interested parties on substantive applications. |
| 25 January 2012 | ACCC grant of interim authorisation. |
| 21 March 2012 | ACCC issues draft determination. |
| March/April 2012 | Public consultation on draft determination including any conference if called. |
| April/May 2012 | 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 Imogen Hartcher-O'Brien on (02) 6243 1049.

Yours sincerely



Dr Richard Chadwick
General Manager
Adjudication Branch