

OUT13/27602

Dr Richard Chadwick
General Manager, Adjudication Branch
Australian Competition and Consumer Commission
GPO Box 3131
CANBERRA ACT 2601

Dear Dr Chadwick

Visa Worldwide Pte Ltd & Ors: application for authorisation of PIN@POS implementation

I refer to the ACCC letter dated 5 September 2013 regarding the amended application by Visa, Mastercard and others seeking ACCC for substantive authorisation and a new request for interim authorisation. I have reviewed the amended application and note that it is proposed that American Express will participate with the original applicants in the PIN@POS mandate.

As set out in detail in my submission dated 19 July 2013, I resubmit that the ACCC should only authorise the proposed arrangements on condition that the concerns for small businesses are addressed. In summary, I submit that:

- (a) The ACCC should only authorise on condition that the applicants and financial institutions should not unreasonably profit from the implementation of PIN@POS, and evidence of this would be reduced fees and charges to small business merchants to reflect the reduced costs from removing paper based transactions.
- (b) The ACCC should only authorise on condition that the applicants establish, and have regard to the requirements of, a formal working group designed to minimise the costs and disruptions to small business including operational and technical implementation issues. Relevant small business representatives (e.g. the Restaurant & Catering Industry Association) must be invited to participate on Working Groups on the implementation process.
- (c) The education and training for the implementation of PIN@POS must effectively engage with the wide range of small business merchants that will be impacted.

The ACCC should also note that submission points (a) and (b) were also submitted by the Restaurant & Catering Industry Association in its submission dated 16 August 2013.

Thank you for giving me the opportunity to comment on this application for authorisation. Should you wish to discuss any of the issues raised in this submission please contact Wayne Gates, Acting Director, Advocacy on (02) 8222 4831 or wayne.gates@smallbusiness.nsw.gov.au.

Yours sincerely



Yasmin King
NSW Small Business Commissioner
13 September 2013