



**Australian
Competition &
Consumer
Commission**

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26 August 2014

Dear Sir/Madam

Australian Payments Clearing Association Limited application for revocation of authorisations A91153 & A91154 and substitution of new authorisations A91434 & A91435 – draft determination

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the applications for authorisation lodged by Australian Payments Clearing Association Limited (APCA) on 20 June 2014.

Please see the ACCC's publication [Authorisation process - the basics](#) for a summary of the authorisation process and how to make a submission to the ACCC.

Application for 're-authorisation'

The applications for re-authorisation relate to APCA's Consumer Electronic Clearing System (CECS) regulations relating to initial certification of CECS members and suspension and termination of CECS membership. Copies of the applications are available on the ACCC's website www.accc.gov.au/AuthorisationsRegister.

The ACCC previously granted authorisation to the CECS regulations until 15 December 2014.

Draft determination

A copy of the ACCC's draft determination and summary of its reasons is attached.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for ten years.

Next steps

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

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **15 September 2014**. Submissions should be emailed to adjudication@acc.gov.au with the subject "A91434 & A91435 – APCA – submission".

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 **9 September 2014**.

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, including oral submissions, will be placed on the ACCC's public register subject to any request for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

Timetable

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

Indicative date	Stage in assessment process
20 June 2014	Lodgement of application and supporting submission.
27 June 2014	Public consultation process begins.
18 July 2014	Closing date for submissions from interested parties.
26 August 2014	Draft determination.
August/September 2014	Public consultation on draft determination including any conference if called.
September/October 2014	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the applications at the draft and final determination stages. If you are able to, please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the applications.

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 Tanya Hobbs on 02 6243 1029 or adjudication@acc.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'G Jones', with a long horizontal flourish extending to the right.

Gavin Jones
Director
Adjudication Branch

Interested Party list

Advanced Payment Systems	Commonwealth Bank of Australia
American Express International Bronwyn Carr	Consumer Action Law Centre
Australia and New Zealand Banking Group Limited	Council of Small Business Organisations of Australia Ltd
Australian Bankers' Association	Cuscal Limited
Australian Securities and Investments Commission	Diners Club Australia
Australian Settlements Limited	Indue Limited
Bank of Queensland Limited	Moneyswitch Limited
Bank of Western Australia Limited	National Australia Bank Limited
Bendigo and Adelaide Bank Limited	Post Office Agents Association
Business Council of Australia	Reserve Bank of Australia
Cashcard Australia Limited	St.George Bank
CHOICE	SuncorpMetway Limited
Citigroup Pty Ltd	The Treasury
Coles Group Limited	Westpac Banking Corporation
	Woolworths Limited