

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)

N97422 Australian Postal Corporation (ABN 28 864 970 579) (“**Australia Post**”)

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

Australia Post provides postal (including mail and parcel) and retail products and services to the Australian public.

- (c) Address in Australia for service of documents on that person:
Kathryn Low
Corporate Lawyer
Australian Postal Corporation
Level 11 / 111 Bourke Street
Melbourne VIC 3000

2. Notified arrangement

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

The supply of parcel delivery services at Parcel Lockers available for consumer use at selected Australia Post retail, Business Hub and Delivery Centre outlets as well as selected 3rd party locations including 7-Eleven stores, local shopping centres and universities throughout Australia.

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

Australia Post proposes that it may:

- give, or offer to give, certain discounts or offers, including from third party Parcel Locker partners (for example 7-Eleven stores or local shopping centres) to Parcel Locker customers; and

- refuse to give certain discounts or offers, including from third party Parcel Locker partners (for example 7-Eleven stores or local shopping centres), to a person for the reason that they are not a Parcel Locker customer.

By way of example, the discount or offer may be in the form of a printed flyer left in the locker with the parcel or via a QR code on the Parcel Locker screen.

(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 are current Parcel Locker users or prospective customers who may in the future choose to collect their parcels from a Parcel Locker.

- (b) Number of those persons:

- (i) At present time:

Substantially in excess of 50

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

Substantially in excess of 50

- (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)

Persons who are Parcel Locker users will benefit from the proposed arrangements as they will receive a discount or other offer in respect of various products or services that are offered by third party Parcel Locker partners (for example 7-Eleven stores or local shopping centres) in the Parcel Locker location from which the customer has collected his/her parcel.

Third party Parcel Locker partners in the location of the Parcel Lockers will also benefit from the arrangement as they can advertise their products or

offer discounts to potential customers while the customer is in the area of that particular shop.

The arrangements could also encourage Australia Post's competitors in the Parcel Locker market to offer benefits which in turn could result in increase competition.

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

As described above in 4(a).

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 relevant market is likely to comprise the national market for the supply of parcel delivery services and related goods and substitutable services. The market is characterised by strong competition.

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)

There are no public detriments likely to result from the proposed arrangement.

- (b) Facts and evidence relevant to these detriments:
- (i) Customers are free to choose whether they use the Parcel Locker service and whether they redeem the product or service offer presented to them at the time of collecting their parcel from a Parcel Locker. It will not be a condition of using the Parcel Locker that the customer also redeems the offer from the third party.
 - (ii) There is nothing to impede other providers of parcel delivery services from:
 - (A) setting up a similar Parcel Locker service; or
 - (B) entering into a relationship with a third party to hold parcels for customer collection, and

arranging discounts or offers for customers when those customers use their service.

7. Further information

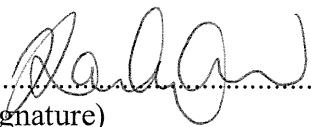
- (a) Name, postal address and contact telephone details of the person authorised to provide additional information in relation to this notification:

Kathryn Low
Corporate Lawyer
Australian Postal Corporation
Level 11 / 111 Bourke Street
Melbourne VIC 3000

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Dated..... 23 / 5 / 2014

Signed by/on behalf of the applicant


.....
(Signature)

Kathryn Rose Low
.....
(Full Name)

Australia Postal Corporation
.....
(Organisation)

Corporate Lawyer.
.....
(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 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.