

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)

N98163 Westpac Banking Corporation ABN 33 007 457 141

- (b) Short description of business carried on by that person:

(Refer to direction 3)

Banking, insurance, and financial services including lending.

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

Westpac Banking Corporation

Level 20

275 Kent Street

Sydney. NSW. 2000

2. Notified arrangement

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

Enhanced payment gateway services for schools (ie fees, canteen orders, school events etc)

(b) Description of the conduct or proposed conduct:

Westpac and Scotney Group Pty Limited propose Scotney and propose to undertake a joint initiative targeted at the private and independent schools (Schools) to

- (i) promote each other's services to their respective customer base; and
- (ii) provide a School fee payment system ("School Fees Service") allowing for parents of students to pay school fees directly to a School using the Flexischool's Management System platform and a Westpac Merchant Agreement.

(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:

Private and independent schools

(b) Number of those persons:

(i) At present time:

Nil.

(ii) Estimated within the next year:

(Refer to direction 6)

The number will exceed 50 but is not known.

(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:

While Schools will still have other payment options available to them, this service allows:

- (i) Schools and parents of students to receive and make school fees payments online; and
- (ii) School canteens to accept a cashless payment via for example a Student card or orders through a website portal while parents can "top-up" their children's

accounts online through a payment gateway that accepts card and BPAY payment

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

The Flexischools service is available to schools and parents
(www.flexischools.com.au)

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 market relates to electronic payment gateway services for the Education (schools) market in all states and territories.

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)

No detriment to the public can be foreseen. Schools will still have other payment options available to them.

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

The Electronic Payment Gateway market in Australia has many bank and non-bank competitors. There should be no detriment.

7. Further information

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

Teimumu Tapueluelu-Schock, Compliance, Legal and Secretariat

Westpac Banking Corporation

Level 20

275 Kent Street

SYDNEY NSW 2000

Telephone: (02) 8254 4088

Dated 6/3/2015

Signed by/on behalf of the applicant

.....*Teimumu Tapueluelu*.....

(Signature)

Teimumu Tapueluelu-Schock

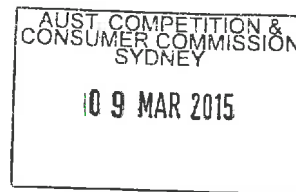
(Full Name)

Westpac Banking Corporation

(Organisation)

Special Counsel

(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