

Sent: Friday, 2 December 2016 9:04 PM
To: Adjudication
Cc: Robert Rigby
Subject: Submission regarding Bendigo and Adelaide Bank & Ors - Authorisation - A91546 & A91547

Categories: Submission

To:
Australian Competition & Consumer Commission
Level 35, 360 Elizabeth Street MELBOURNE VIC 3000
Via Email.

Re: Bendigo and Adelaide Bank & Ors - Authorisation - A91546 & A91547

Following your draft determination proposing to deny authorisation of the above I wish to add to the list of submissions regarding the proposal for several of the major banks in Australia to act as a cartel in negotiating with Apple for access to the NFC chip and the subsequent introduction of Apple Pay as a payment option through those banks. I wish to voice my opinion as to the anti-competitive nature such an authorisation may create.

As an avid user of Apple Pay since day one of its introduction in Australia via my American Express account I wish to have this secure and convenient form of payment extended to accounts I hold with other financial institutions including The Commonwealth Bank. I desire its implementation but not if it is at the expense of the benefits that true competition creates.

I believe Apple should firstly have control of the NFC chips within the devices we choose to purchase from them and each bank should be left to negotiate individually with phone manufacturers if they wish to give their customers the benefits of such functionality.

Banks such as The ANZ and financial institutions such as Amex have shown that the public wish to utilise a system that is quick, safe and is designed to keep credit card information away from the merchants. No doubt many customers have already made the decision to switch banks.

I cannot see any benefit to consumers for the banks in this case being allowed to negotiate as a cartel, especially if a key element of their proposal is to pass on any costs to consumers. In fact the only outcome of any approval of the original proposal from the banks is to stifle competition, something the ACCC has been designed to combat.

If the banks wish to negotiate with Apple individually then they should. If however they choose not to then the market will determine the impact, if any, this action has on their market share. The important factor here is the market should dictate the outcomes, not large banks forcing Apple to deal with them collectively, especially when the proposal in its current form results in added costs to consumers.

I thank you for the opportunity to submit my opinions through this forum and am available at any time to discuss any part of this email or clarify any aspect of my submission.

Regards

