

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.

1. Applicant

(a) Name of person giving notice:

N98898 Westpac Banking Corporation ABN 33 007 457 141 (“**Westpac**”)

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

Banking and financial services

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

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:

Westpac is an Australian credit licensee under the *National Consumer Credit Protection Act 2009* (Cth), and provides loans through its “Westpac”, “St.George”, “BankSA” and “Bank of Melbourne” branded distribution channels.

The proposed conduct relates to the provision of secured and unsecured loans by Westpac for the primary purpose of financing the purchase of a motor vehicle(s) (“**motor vehicle loan**”).

(b) Description of the conduct or proposed conduct:

Westpac proposes, from time to time, to offer motor vehicle loans:

- at a discounted interest rate,
- subject to a rebate, and/or

- together with a gift card (issued by Westpac or another entity), on the condition that the person who is taking out the motor vehicle loan will acquire a Westpac branded motor vehicle insurance product, issued by Westpac on behalf of Allianz Australia Insurance Limited ABN 15 000 122 850 (“Allianz”).

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:
Consumers of the motor vehicle loans referred to in item 2(a).
- (b) Number of those persons:
- (i) At present time:
Unknown.
 - (ii) Estimated within the next year:
Unknown.
- (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:
The principal public benefit of the notified conduct will be to effectively reduce the price to consumers of motor vehicle loans and/or motor vehicle insurance in Australia.
Given that Westpac and Allianz have numerous competitors who offer similar personal loans (including motor vehicle loans) and motor vehicle insurance, there is no likelihood that the proposed conduct will lessen or substantially lessen competition in the market for either personal loans (including motor vehicle loans) or motor vehicle insurance. In fact, the proposed arrangement may facilitate competition in each market by encouraging competitors to offer similar discounts, rebates or incentives.
- (b) Facts and evidence relied upon in support of these claims:
Westpac relies on the argument set out in Item 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):

The relevant markets that are potentially affected by the proposed conduct are:

- the market for the provision of personal loans (including motor vehicle loans) in Australia. There are numerous other suppliers of personal loans in the market, including most authorised deposit-taking institutions under the *Banking Act 1959* (Cth); and
- the market for the provision of motor vehicle insurance in Australia. There are number other issuers of motor vehicle insurance in the market, including over ten authorised insurers under the *Insurance Act 1973* (Cth).

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:

Westpac considers that public detriment is unlikely to result from the proposed conduct because:

- consumers are not obliged to take out motor vehicle insurance issued by Westpac on behalf of Allianz, in order to acquire a motor vehicle loan from Westpac. They are free to take out insurance from another insurance provider or, in relation to unsecured loans, to not take out insurance at all; and
- consumers can acquire a motor vehicle loan from Westpac, which:
 - is not subject to a discounted interest rate,
 - is not subject to a rebate, or
 - is not offered together with a gift card (issued by Westpac or another entity).

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

Not relevant.

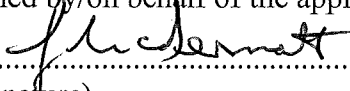
7. Further information

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

Chanel Klein
Manager, Sourced Products, General Insurance
Westpac Banking Corporation
Level 20
275 Kent Street
Sydney NSW 2000
Ph: 0435 115 402

Dated: 29 January 2016

Signed by/on behalf of the applicant


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(Signature)

Gerard McDermott
(Full Name)

Westpac Banking Corporation
(Organisation)

Head of General Insurance
(Position in Organisation)