

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:

N99006 Australian Postal Corporation (ABN 28 864 970 579) (**Australia Post**)

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

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:

Australian Postal Corporation
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 proposed offer relates to Australia Post Home and/or Contents Insurance and/or Australia Post Car Insurance (**Insurance**) and Australia Post Visa Prepaid Gift Cards (**Gift Cards**) that are available for sale in participating Australia Post retail outlets throughout Australia and the products and service providers referred to in paragraph (b) below.

(b) Description of the conduct or proposed conduct:

Australia Post proposes to offer free Gift Cards, on the condition that customers purchase Insurance online through Australia Post, at a participating Australia Post retail outlet or over the phone via an Australia Post Insurance telephone number.

Australia Post distributes the Insurance as an Authorised Representative, AR 338646, of Australia Post Services Pty Ltd (ABN 67 002 599 340), AFSL 457551. The Insurance is issued by Auto & General Insurance Company Ltd (ABN 42 111 5 86 353), AFSL 285571.

Australia Post distributes the Gift Cards as an Authorised Representative, AR 338646, of Australia Post Services Pty Ltd (ABN 67 002 599 340), AFSL 457551. The Gift Cards are issued by Heritage Bank Limited (ABN 32 087 652 024), AFSL and Australian Credit Licence 240984.

Australia Post will also refuse to provide free Gift Cards to those customers that do not purchase Insurance from the suppliers referred to above.

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:

Customers, who acquire Insurance online through Australia Post, at a participating Australia Post retail outlet or over the phone via an Australia Post Insurance telephone number.

Customers, who acquire Gift Cards online through Australia Post or through a participating Australia Post retail outlet.

(b) Number of those persons:

(i) At present time:

Substantially in excess of 50.

(ii) Estimated within the next year:

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:

The public benefits that will flow from the proposed conduct include:

- The opportunity for customers purchasing Insurance to receive free Gift Cards.
- The availability of the free Gift Cards for customers who purchase Insurance is likely to promote a competitive response by other suppliers of Insurance and result in competitors offering discounts, other bundles or free gifts that further promote competition and advantages for customers.

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

See paragraph 4 (a) above.

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):

In broad terms, it is submitted that the markets primarily relevant to the assessment of this notification are as follows:

- the market for the supply of home and/or contents insurance to customers in Australia;
- the market for the supply of car insurance to customers in Australia; and
- the market for the supply of prepaid gift cards to customers in Australia.

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:

The notified conduct will not result in any material public or anticompetitive detriment. In particular:

- Customers are free to choose whether to acquire Insurance through Australia Post in order to obtain a free Gift Card. Customers that elect not to purchase Insurance will still be able to purchase Gift Cards at the usual price.
- The markets for the supply of home and/or contents insurance and car insurance are highly competitive. There are many alternative suppliers in the market from which customers can choose to purchase home and contents or car insurance.
- The market for the supply of prepaid gift cards to customers in Australia is also very competitive and the proposed conduct is unlikely to have a material effect on this market.
- The proposed offer will be conducted for a limited period of time and is, in any event, unlikely to have a material effect on competition in any relevant markets.

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

See above at paragraph 6(a).

7. Further information

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

Cindy Varalla
(03) 9107 0437
Australian Postal Corporation
111 Bourke Street
MELBOURNE VIC 3000

Dated: 30 March 2016

Signed by/on behalf of the applicant, Australian Postal Corporation



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(Signature)

Cindy Varalla
Corporate Lawyer
Australian Postal Corporation

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.