

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:

N99009 Telstra Corporation Limited (ABN 33 051 775 556) (**Telstra**).

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

Telstra provides a wide range of telecommunications and information services including fixed line services, mobile services, internet services and media content for delivery services. Telstra also sells a number of telecommunications and technology products outright.

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

Caroline Coops
King & Wood Mallesons
600 Bourke Street
Melbourne VIC 3000
Tel: (03) 9643 4097

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 telecommunications products and/or services by Telstra.

(b) Description of the conduct or proposed conduct:

Telstra proposes to:

(i) give, or offer to give, a discount, allowance, rebate or credit in relation to the supply or proposed supply of broadband products or services by Telstra on condition that the person will acquire services from Stayz Pty Ltd (**'Stayz'**) as a 'Stayz property owner' (i.e. the person lists their property to be advertised on Stayz.com.au as available for holiday rentals); and

(ii) refuse to give a discount, allowance, rebate or credit in relation to the supply of broadband products or services by Telstra for the reason that

the person has not acquired, or has not agreed to acquire services from Stayz as a 'Stayz property owner'.

For example, Telstra is proposing to offer 'Stayz property owners' a \$100 credit if they sign up to a Home Broadband Bundle.

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:
Current, and future, 'Stayz property owners'.
- (b) Number of those persons:
 - (i) At present time:
Substantially greater than 50.
 - (ii) Estimated within the next year:
Substantially greater than 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 proposed conduct will be of benefit to the public because it will give 'Stayz property owners' a discount, allowance, rebate or credit if they acquire broadband products and services from Telstra.
- (b) Facts and evidence relied upon in support of these claims:
The ability to receive a discount, allowance, rebate or credit may be a significant benefit to customers.

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 are:

- (a) the provision of telecommunications products and/or services; and
- (b) the provision of online holiday rental services.

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 proposed conduct will not have any negative effect on competition in any market. Both the telecommunications sector and the online holiday rental services sector are highly competitive with a number of entities competing in the market.

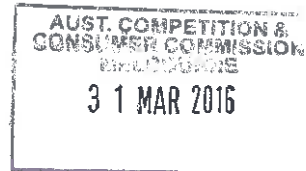
- (b) Facts and evidence relevant to these detriments:

Not applicable.

7. Further information

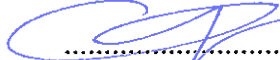
- (a) Name, postal address and contact telephone details of the person authorised to provide additional information in relation to this notification:

Caroline Coops
King & Wood Mallesons
600 Bourke Street
Melbourne VIC 3000
Tel: (03) 9643 4097



Dated 31 March 2016

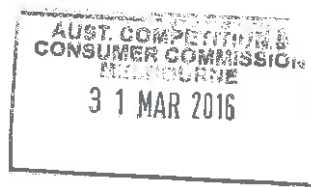
Signed by/on behalf of the applicant


.....
(Signature)

Caroline Coops
(Full Name)

King & Wood Mallesons
(Organisation)

Partner
(Position in Organisation)



31 March 2016

FILE No:
DOC:
MARS/PRISM:

Australian Competition and Consumer Commission
Level 35 The Tower
360 Elizabeth Street
Melbourne VIC 3000

Dear Sir/Madam

Third line forcing notification

We act for Telstra Corporation Limited ('Telstra').

On behalf of Telstra, we enclose:

- a Form G Notification of Exclusive Dealing; and
- a cheque for \$100 payable to the Australian Competition and Consumer Commission.

If the Commission has any questions in relation to the enclosed Notification or requires any further information, Telstra would be pleased to assist.

Yours sincerely

A handwritten signature in blue ink, consisting of a large, stylized 'C' followed by a horizontal line extending to the right.

Caroline Coops
Partner
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M +61 438 654 810
caroline.coops@au.kwm.com