

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:*

N99958

Australia and New Zealand Banking Group Limited ABN 11 005 357 522
(ANZ)

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

ANZ is in the business of banking and the provision of financial services. In particular, the business division of ANZ relevant in the context of this notification is Corporate and Commercial Banking. ANZ's Corporate and Commercial Banking business provides banking solutions to business customers in Australia, including facilitating the deposit of funds by Corporate and Commercial Banking customers with ANZ.

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

Level 9, 833 Collins Street, Docklands, VIC 3008.

2. Notified arrangement

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

The conduct relates to Corporate and Commercial Banking customers who deposit funds (notes, coins and cheques) into their ANZ customer accounts. ANZ currently provides a fast deposit bag service, whereby Corporate and Commercial Banking customers deposit funds into a fast deposit bag and deliver the fast deposit bag directly to ANZ. In addition to this service, ANZ also offers to Corporate and Commercial Banking customers the service offering described in paragraph (b) below which is the subject of this notification.

(b) *Description of the conduct or proposed conduct:*

ANZ currently offers a service whereby Corporate and Commercial Banking customers are able to have their cash holdings collected directly

from their place of business by ANZ's Cash In Transit (CIT) provider for depositing to the customers account. The ACCC was given notice of the establishment of this service on 17 April 2015 and the immunity granted by the notification remains in force. ANZ now proposes to change the CIT provider of this service. No other substantive changes are proposed to the CIT provider service.

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:

The classes of persons affected or likely to be affected are:

(1) ANZ Corporate and Commercial Banking customers who are currently utilising the CIT provider service for their cash holdings to be collected and deposited into their accounts; and

(2) ANZ Corporate and Commercial Banking customers who currently physically deliver funds to ANZ.

(b) Number of those persons:

(i) At present time:

15 - 20

(ii) Estimated within the next year:

40 - 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 conduct will be of benefit to the public as it will continue to:

- Promote competition amongst ANZ and other players in the market to provide value added benefits to the advantage of their corporate and commercial customers.
- Meet Corporate and Commercial Banking customer demands regarding a service to address safety, security and OH&S concerns in transporting large volumes/value of cash and coins.
- Provide improved customer experience in faster access to funds and faster reconciliation management.
- Enable competitive prices to be passed on to customers who use ANZ's CIT provider due to economies of scale (i.e. ANZ has a large volume of customers and will be able to negotiate a lower price).

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

- Prior to the commencement of the CIT provider service in 2015, ANZ received requests from Corporate and Commercial Banking customers for a solution that provided a safe and secure means of transporting large volumes/value of funds within short timeframes. The conduct will continue to complement and enhance security measures as ANZ's CIT provider is escorted by armed guards when collecting and transporting the funds.
- The customer is charged a fee which is less than what the customer would be charged if they were to approach a CIT provider directly given ANZ provides this service for a number of customers and is therefore able to obtain a more competitive price

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):

There is competition in the market for the transportation of cash. Transport providers in this market include secured CIT providers, couriers and Corporate and Commercial Banking customers themselves.

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 has no public detriment.

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

The notified conduct has no public 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:*

Alice Armit

Australia and New Zealand Banking Group Limited

Level 9, 833 Collins Street

Docklands VIC 3008

Ph: 03 8655 1505

Email: alice.armit@anz.com

Dated 12 October 2017

Signed by/on behalf of the applicant



Alice Armit

Corporate Lawyer, Retail

Australia and New Zealand Banking Group Limited

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.