

Undertaking to the Australian Competition and Consumer Commission

Given under section 87B of the *Competition and Consumer Act 2010* (Cth)

by

the Australian Postal Corporation ABN 28 864 970 579

and

Star Track Express Pty Limited ABN 44 001 227 890

Persons giving the Undertaking

- 1 This undertaking is given to the Australian Competition and Consumer Commission (**ACCC**) by the Australian Postal Corporation ABN 28 864 970 579 (**Australia Post**) and by Star Track Express Pty Limited ABN 44 001 227 890 (**StarTrack**), for the purposes of section 87B of the *Competition and Consumer Act 2010* (Cth) (**CCA**) (the **Undertaking**).

Background

- 2 Australia Post is a government business enterprise responsible for the provision of postal services. It focuses on the delivery of domestic and international parcels and letters, and also provides a range of retail and other services in Australia.

Australia Post

- 3 Australia Post supplies domestic postal and international parcel shipping services for individual and business customers; mail services and bulk mail services; postal storage and management (such as parcel lockers) for both individuals and businesses; direct mail marketing; and product return and collection facilities under the 'Australia Post' brand.
- 4 Australia Post operates under the provisions of the *Australian Postal Corporation Act 1989* (Cth) (**APC Act**) and maintains a series of corporate governance practices, derived from various governance sources, including the APC Act and the *Public Governance, Performance and Accountability Act 2013* (Cth).

StarTrack

- 5 StarTrack is a wholly owned subsidiary of Australia Post, which provides parcel, freight and logistics services. StarTrack focuses on providing premium, specialised domestic and international delivery services, primarily between business customers.
- 6 StarTrack supplies delivery services including Road Express (a standard business-to-business delivery service), StarTrack Premium (next-business day delivery to most locations) and StarTrack Next Flight (24/7 same-day interstate delivery); other bespoke freight and logistics services and bespoke products for returns and other shipping-related logistics.

Relevant law

- 7 Sections 60-62 of the Australian Consumer Law, which is Schedule 2 to the CCA, provide that there are consumer guarantees with respect to the supply of services, that the services will be performed with due care and skill, be fit for purpose, and be provided within a reasonable timeframe if no period for performance is specified.
- 8 Prior to 26 October 2018, section 63(1)(a) of the Australian Consumer Law excluded the application of the consumer guarantees to any transport services where the transport of the goods was for the purpose of either the sender's or receiver's business.

- 9 On 26 October 2018, section 63(2) was inserted into the Australian Consumer Law which narrowed the application of the exclusion, so that the consumer guarantees continue to apply where the receiver is using the transported goods for a non-business purpose.

Conduct of concern

- 10 In 2021, Australia Post and StarTrack identified that, for a period following the October 2018 change to the Australian Consumer Law identified in paragraph 9 above:
- (a) Australia Post inadvertently:
 - (i) failed to accept some compensation requests made by some business contract customers (in the context of an 'Australia Post'-branded business-to-consumer delivery service); and/or
 - (ii) incorrectly advised some business contract customers that no compensation was payable to them except in certain circumstances;
 - (b) StarTrack inadvertently:
 - (i) failed to accept some compensation requests made by some business contract customers (in the context of a 'StarTrack'-branded business-to-consumer delivery service); and/or
 - (ii) incorrectly advised some business contract customers that no compensation was payable to them except in certain circumstances; and
 - (c) StarTrack inadvertently:
 - (i) failed to accept some compensation requests made by some StarTrack receivers (in the context of a 'StarTrack'-branded business-to-consumer delivery service); and/or
 - (ii) incorrectly advised some StarTrack receivers that no compensation was payable to them,
- (together, the **Relevant Conduct**).
- 11 The Relevant Conduct occurred between 26 October 2018 and 31 October 2022 (**Relevant Period**).

Admissions and resolution

- 12 The ACCC considers that by engaging in the Relevant Conduct, Australia Post and StarTrack engaged in misleading or deceptive conduct and made false or misleading representations in contravention of sections 18, 29(1)(m), 29(1)(n) and 34 of the Australian Consumer Law.
- 13 In response to the ACCC's concerns, Australia Post and StarTrack:
- (a) admit that the Relevant Conduct is likely to have contravened sections 18, 29(1)(m), 29(1)(n) and 34 of the Australian Consumer Law;
 - (b) have voluntarily notified the ACCC of the Relevant Conduct and have cooperated with and assisted the ACCC; and
 - (c) agree to take the actions set out in this Undertaking to resolve the ACCC's concerns and to compensate potentially affected business contract customers and StarTrack receivers.

Commencement and term of this Undertaking

- 14 Australia Post and StarTrack have agreed to give, and the ACCC has agreed to accept, this Undertaking.

- 15 This Undertaking comes into effect when:
- (a) this Undertaking is executed by Australia Post and StarTrack; and
 - (b) this Undertaking so executed is accepted by the ACCC,
- (Commencement Date).**
- 16 This Undertaking has effect for three years from the Commencement Date **(Term)**.
- 17 Upon the Commencement Date:
- (a) Australia Post and StarTrack undertake to assume the obligations set out in paragraph 19 of this Undertaking;
 - (b) Australia Post undertakes to assume the obligations set out in paragraphs 21 to 36 of this Undertaking in respect of Australia Post business contract customers; and
 - (c) StarTrack undertakes to assume the obligations set out in paragraphs 21 to 36 of this Undertaking in respect of StarTrack business contract customers and receivers,
- for the purposes of section 87B of the CCA.

Undertakings

Rectification Measures

- 18 Australia Post and StarTrack have voluntarily implemented a comprehensive range of rectification measures regarding the processing of Australian Consumer Law claims for Australia Post and StarTrack business contract customers and StarTrack receivers, including:
- (a) issuing corrected, updated and supplemented instructions and support materials to relevant team members;
 - (b) developing and delivering corrected, updated and supplemented formal training on relevant Australian Consumer Law issues for relevant team members;
 - (c) developing and publishing corrected, updated and supplemented public-facing materials; and
 - (d) developing formal processes to effectively monitor and report on enquiries/complaints and compensation payments,
- (together, **Rectification Measures**).
- 19 Australia Post and StarTrack undertake that:
- (a) they will use reasonable endeavours to ensure that all relevant team members comply with the Rectification Measures for a period of not less than three years from the Commencement Date; and
 - (b) for a period of not less than three years from the Commencement Date, at its own expense, Australia Post will establish and implement a Competition and Consumer Compliance Program (**Compliance Program**) in accordance with the requirements set out in **Annexure A** to this Undertaking, being a program designed to minimise Australia Post and StarTrack's risk of future breaches of the Australian Consumer Law.

Remediation program

- 20 Further to the Rectification Measures, Australia Post and StarTrack have voluntarily developed a remediation program to compensate potentially affected Australia Post and StarTrack business contract customers and StarTrack receivers (**Remediation Program**).

Publicity and webform

- 21 Australia Post and StarTrack undertake that, within two weeks of the Commencement Date:
- (a) they will publish a webform that allows eligible customers to provide Australia Post and StarTrack with such information necessary for Australia Post and StarTrack to assess and process claims (**webform**);
 - (b) they will publish a dedicated page on the Australia Post and StarTrack websites in materially the same form as set out at **Annexure B, section A** describing the key elements of the Remediation Program, which will (among other things) link to the webform that allows customers to submit claims for compensation;
 - (c) they will publish a clear and prominent banner on Australia Post's and StarTrack's Business Support Portals, which will include a link to the webform that allows business contract customers to submit claims for compensation; and
 - (d) they will post an announcement message on the Australia Post 'Newsroom' (<https://newsroom.auspost.com.au/>) to notify readers of the Remediation Program.
- 22 Australia Post and StarTrack undertake that within four months of the Commencement Date, they will provide a report to the ACCC stating all relevant measures undertaken in compliance with paragraph 21 of this Undertaking.

Claims process

Potentially affected customers

- 23 The Australia Post and StarTrack customers who may have been affected by the Relevant Conduct can be categorised as follows:
- (a) StarTrack receivers;
 - (b) business contract customers which are very large organisations, and which are closely and regularly account managed by Australia Post or StarTrack (**Large Account Managed Customers**);
 - (c) business contract customers for which Australia Post or StarTrack has a single and up-to-date business credit account (**Single BCA Customers**);
 - (d) business contract customers for which Australia Post or StarTrack has multiple business credit accounts (**Multiple BCA Customers**); and
 - (e) business contract customers that no longer have an active business credit account with Australia Post or StarTrack, or in respect of which Australia Post or StarTrack have been unable to match the account details listed for that business contract customer with an active business credit account (**Non-Active BCA Customers**).
- 24 Australia Post and StarTrack's Remediation Program for each category of customer is outlined below.

StarTrack receivers

- 25 In respect of the StarTrack receivers identified by StarTrack as potentially affected by the Relevant Conduct, StarTrack undertakes that:
- (a) within two weeks of the Commencement Date, it will directly contact all potentially affected StarTrack receivers via email or mail to notify them about the Remediation Program, including the means by which they can access compensation, by way of the communications set out at **Annexure B, section B**;

- (b) it will attempt to contact any potentially affected StarTrack receiver at least twice within the first three months of the Remediation Program's operation where the StarTrack receiver has not yet submitted a claim for compensation with StarTrack;
- (c) it will refund any eligible StarTrack receivers who provide the information necessary to process their compensation specified in **Annexure B, section B**, via their nominated payment method:
 - (i) the cost of postage paid in respect of any potentially affected articles (including any associated surcharges);
 - (ii) the value of any reasonably foreseeable loss (e.g. the value of any potentially affected articles' contents); and
 - (iii) interest calculated at the average RBA interest rate over the Relevant Period plus 2%.

Large Account Managed Customers

26 Australia Post and StarTrack undertake to:

- (a) procure that their account managers directly contact each Large Account Managed Customer within two weeks of the Commencement Date to notify them about the Relevant Conduct and the Remediation Program, including by way of the communications set out at **Annexure B, section C**;
- (b) invite each Large Account Managed Customer to submit any claims for lost or damaged articles that they believe may be outstanding;
- (c) if appropriate, assist each Large Account Managed Customer to complete the claims process specified in **Annexure B, section C**; and
- (d) refund any eligible Large Account Managed Customers who provide the information specified in **Annexure B, section C** in relation to lost or damaged articles that have not previously been remediated, via their nominated payment method:
 - (i) the cost of postage paid in respect of any affected articles (including any associated surcharges); and
 - (ii) interest calculated at the average RBA interest rate over the Relevant Period plus 2%.

Single BCA Customers

27 In respect of Single BCA Customers, Australia Post and StarTrack undertake to promptly, and no later than 10 days after the Commencement Date, automatically provide Single BCA Customers a refund, by crediting their business credit account, of the cost of postage paid in respect of any potentially affected articles (including any associated surcharges) plus interest calculated at the average RBA interest rate over the Relevant Period plus 2%.

28 Australia Post and StarTrack undertake to, within two weeks of the Commencement Date, directly contact each Single BCA Customer by way of the communications set out at **Annexure B, section D** to notify them about the Relevant Conduct and the Remediation Program.

Multiple BCA Customers and Non-Active BCA Customers

29 In respect of Multiple BCA Customers and Non-Active BCA Customers, Australia Post and StarTrack undertake to:

- (a) within two weeks of the Commencement Date, directly contact all Multiple BCA Customers and Non-Active BCA Customers via email or mail to notify them about

the Remediation Program, including how they can access compensation, by way of the communications set out at **Annexure B, sections E or F**;

- (b) attempt to contact Multiple BCA Customers and Non-Active BCA Customers at least twice within the first three months of the Remediation Program's operation if those customers have not taken any action; and
 - (c) refund any Multiple BCA Customers and Non-Active BCA Customers who complete the webform, via their nominated payment method, the cost of postage paid in respect of any potentially affected articles (including any associated surcharges) plus interest calculated at the average RBA interest rate over the Relevant Period plus 2%.
- 30 If, within six months of the Commencement Date, Australia Post and StarTrack have not received confirmation from a Non-Active BCA Customer or Multiple BCA Customer as to their relevant business credit account details or electronic funds transfer details, then Australia Post and StarTrack undertake to:
- (a) for Multiple BCA Customers, credit the relevant remediation amount to the business credit account that appears to be most frequently used by that Multiple BCA Customer;
 - (b) for Non-Active BCA Customers, send a non-negotiable cheque to the value of the relevant remediation amount in the mail; and
 - (c) if the cheque referred to in paragraph 30(b) is returned to sender or is not deposited within 12 months of it being sent to the Non-Active BCA Customer, deposit the relevant remediation amount into the unclaimed monies fund in the state or territory of the Non-Active BCA Customer's last known address.

Reporting

- 31 Australia Post and StarTrack undertake that seven months after the Commencement Date, they will provide a report to the ACCC stating:
- (a) all measures taken in compliance with paragraphs 23 to 30(b) of this Undertaking;
 - (b) the number of customers (and affected articles) automatically remediated (i.e. compensation provided to Single BCA Customers, Multiple BCA customers and Non-Active BCA Customers);
 - (c) the number of customers (and affected articles) otherwise remediated;
 - (d) the number of customers who have made a claim for compensation, but Australia Post and StarTrack have determined those customers are not eligible for remediation or have already been compensated (including the reasons why compensation was not provided); and
 - (e) the funds provided as remediation.
- 32 Australia Post and StarTrack undertake that 18 months after the Commencement Date, they will provide a report to the ACCC stating the amount of funds transferred to unclaimed monies funds in accordance with paragraph 30(c) above.
- 33 If requested by the ACCC during the Term of this Undertaking, Australia Post and StarTrack will, without undue delay, provide to the ACCC any information the ACCC reasonably requests in respect of the Remediation Program, including copies of all documents evidencing the obligations set out in this Undertaking and their implementation, excluding any documents protected by legal professional privilege.

ACCC enquiries

- 34 For the purpose of monitoring compliance with this Undertaking, the ACCC may make reasonable enquiries of Australia Post and StarTrack, and Australia Post and StarTrack will respond to such enquiries within a reasonable time.
- 35 If requested by the ACCC during the Term of this Undertaking, Australia Post and StarTrack will provide to the ACCC copies of all documents evidencing the obligations set out in this Undertaking and their implementation, excluding any documents protected by legal professional privilege.

Non-compliance


- 36 Australia Post and StarTrack undertake that they will report to the ACCC any non-compliance with this Undertaking as soon as practicable after they become aware of that non-compliance.

Acknowledgments

- 37 Australia Post and StarTrack acknowledge that:
- (a) the ACCC will make this Undertaking publicly available including by publishing it on the ACCC's public register of section 87B undertakings on its website;
 - (b) the ACCC will, from time to time, make public reference to this Undertaking, including in media statements and ACCC publications; and
 - (c) this Undertaking in no way derogates from the rights and remedies available to any other person arising from the Relevant Conduct.

Executed as an Undertaking

Signed for and on behalf of Australian Postal Corporation ABN 28 864 970 579 by its duly authorised representative in the presence of:



Paul Graham (Dec 15, 2023 09:03 GMT+11)

Signature of authorised representative

PAUL GRAHAM

Name (print)

15/12/23

Date



Signature of witness

NICK MACDONALD

Name (print)

15/12/23

Date

Executed by Star Track Express Pty Limited ABN 44 001 227 890 pursuant to s 127(1) of the *Corporations Act 2001* (Cth):



Signature of director

ROD BARNES

Name (print)

15/12/23

Date



Signature of director/company secretary


NICK MACDONALD

Name (print)

15/12/23

Date

Accepted by the Australian Competition and Consumer Commission pursuant to s 87B of the *Competition and Consumer Act 2010* (Cth):



Signed by the Chair on behalf of the Commission

18 December 2023

Date

Annexure A

COMPETITION AND CONSUMER COMPLIANCE PROGRAM

LEVEL 3

Further to paragraph 19(b) of the Undertaking, Australia Post will establish a Compliance Program that complies with each of the following requirements:

Appointments

1. Australia Post confirms that, as at the Commencement Date, it has appointed a senior manager with suitable qualifications or experience in corporate compliance who will be responsible for ensuring compliance with this Undertaking (**Compliance Officer**).
2. Australia Post confirms that, as at the Commencement Date, it has appointed a suitably qualified, internal or external, compliance professional with expertise in competition and consumer law (**Compliance Advisor**).

Complaints Handling System

3. Australia Post confirms that as at the Commencement Date it has in place procedures for identifying, classifying, storing and responding to competition and consumer law complaints (**Complaints Handling System**).
4. Australia Post confirms that as at the Commencement Date the Complaints Handling System is substantially consistent with the Australian/New Zealand Standard **AS/NZS 10002:2018 Guidelines for complaint management in organizations**, and that within 12 months of the Commencement Date it will use its best endeavours to ensure the Complaints Handling System is substantially consistent with the Australian/New Zealand Standard **AS/NZS 10002:2022 Guidelines for complaint management in organizations**, as in force or existing at the Commencement Date, tailored as required to Australia Post's circumstances.
5. Australia Post will ensure that staff and customers are made aware of the Complaints Handling System.

Staff Training and Induction

6. Australia Post will ensure that the Compliance Program includes a requirement for Australian Consumer Law compliance training at least once a year (**Staff Training**) for all officers, employees, representatives and agents of Australia Post and StarTrack, whose duties could result in them being concerned with conduct that may contravene the Australian Consumer Law.
7. Australia Post will ensure that the Compliance Program includes a requirement that awareness of Australia Post's obligations under the Australian Consumer Law forms part of the induction (**Induction**) of all new officers, employees, representatives and agents of Australia Post and StarTrack whose duties could result in them being concerned with conduct that may contravene the Australian Consumer Law.
8. Australia Post will ensure that the Staff Training and Induction is prepared and reviewed by a suitably qualified compliance professional or legal practitioner with expertise in competition and consumer law.

Reports to Director(s)

9. Australia Post will ensure that the Compliance Officer reports to Australia Post's board or a relevant sub-committee of the Australia Post board once a quarter on the continuing effectiveness of the Compliance Program.

Compliance Review

10. Australia Post will, at its own expense, cause an annual review of the Compliance Program (**Review**) to be carried out in accordance with each of the following requirements:
 - 10.1. **Scope of Review** – the Review should be broad and rigorous enough to provide Australia Post and the ACCC with:
 - 10.1.1. verification that Australia Post has in place a Compliance Program that complies with each of the requirements detailed in paragraphs 1 to 8 of this Annexure; and
 - 10.1.2. the compliance reports detailed at paragraph 9 of this Annexure.
 - 10.2. **Independence of Review** – Australia Post will ensure that each Review is carried out by a suitably qualified, independent compliance professional with expertise in competition and consumer law (**Reviewer**). The Reviewer will qualify as independent on the basis that he or she:
 - 10.2.1. did not design or implement the Compliance Program;
 - 10.2.2. is not a present or past staff member or director of Australia Post or StarTrack; and
 - 10.2.3. has no significant shareholding or other interests in Australia Post.
 - 10.3. **Evidence** – Australia Post will use its best endeavours to ensure that each Review is conducted on the basis that the Reviewer has access to all relevant sources of information in Australia Post's possession or control, including without limitation:
 - 10.3.1. The ability to make enquiries of any officers, employees, representatives, and agents of Australia Post;
 - 10.3.2. documents relating to Australia Post's Compliance Program, including documents relevant to Australia Post's Complaints Handling System, and Staff Training and Induction; and
 - 10.3.3. any reports made by the Compliance Officer to Australia Post's board regarding Australia Post's Compliance Program.
 - 10.4. Australia Post will ensure that the first Review is completed within 1 year of the Commencement Date, and that two subsequent Reviews are completed annually.

Compliance Report

11. Australia Post will use its best endeavours to ensure that within 30 days of the completion of a Review, the Reviewer includes the following findings of the Review in a report to the Compliance Officer of Australia Post (**Compliance Report**):
 - 11.1. whether the Compliance Program of Australia Post includes all the elements detailed in paragraphs 1 to 9 of this Annexure and if not, what elements need to be included or further developed;

- 11.2. whether the Compliance Program adequately covers areas identified in the Risk Assessment, and if not, what needs to be further addressed;
- 11.3. whether the Staff Training and Induction is effective, and if not, what aspects need to be further developed;
- 11.4. whether Australia Post's Complaints Handling System is effective, and if not, what aspects need to be further developed; and
- 11.5. whether there are any material deficiencies in Australia Post's Compliance Program, or whether there are or have been instances of material non-compliance with the Compliance Program (**Material Failure**)¹ and, if so, recommendations for rectifying the Material Failure.

Australia Post's Response to Compliance Report

12. Australia Post will ensure that the Compliance Officer, within 14 days of receiving the Compliance Report:
 - 12.1. provides the Compliance Report to Australia Post's board or the relevant sub-committee of the Australia Post board; and
 - 12.2. where a Material Failure has been identified by the Reviewer in the Compliance Report, provides a report to Australia Post's board or the relevant sub-committee of the Australia Post board identifying how Australia Post and/or StarTrack can implement any recommendations made by the Reviewer in the Compliance Report to rectify the Material Failure.
13. Australia Post will promptly and fully implement any recommendations made by the Reviewer in the Compliance Report to address a Material Failure.

Reporting Material Failures to the ACCC

14. Where a Material Failure has been identified by the Reviewer in the Compliance Report, Australia Post will:
 - 14.1. provide a copy of the Compliance Report to the ACCC within 30 days of Australia Post's board receiving the Compliance Report; and
 - 14.2. inform the ACCC of any steps that have been taken to implement the recommendations made by the Reviewer in the Compliance Report; or
 - 14.3. otherwise outline the steps that Australia Post proposes to take to implement the recommendations and inform the ACCC once those steps have been implemented.

Provision of Compliance Program Documents to the ACCC

15. Australia Post will maintain copies of all documents relating to and constituting the Compliance Program for a period not less than 3 years from the Commencement Date – being the number of years the Compliance Program is required – and an additional 2 years.
16. If requested by the ACCC in the period identified in paragraph 15, Australia Post will, at its own expense, cause to be produced and provided to the ACCC copies of all documents

¹ Material Failures are intended to include non-trivial failures that are ongoing or continue for a significant period of time to:

- incorporate a requirement of the Undertaking in the design of the Compliance Program, (e.g., if the Complaints Handling System did not provide a mechanism for responding to complaints); or
- comply with a fundamental obligation in the implementation of the Compliance Program (e.g., if no Staff Training has been conducted within the Annual Review period).

constituting the Compliance Program, including:

- 16.1. an outline of the Complaints Handling System;
- 16.2. Staff Training and Induction materials;
- 16.3. the Compliance Report that has been completed at the time of the request; and
- 16.4. copies of the reports to Australia Post's board or the relevant subcommittee thereof referred to in paragraphs 9 and 12 of this Annexure.

ACCC Recommendations

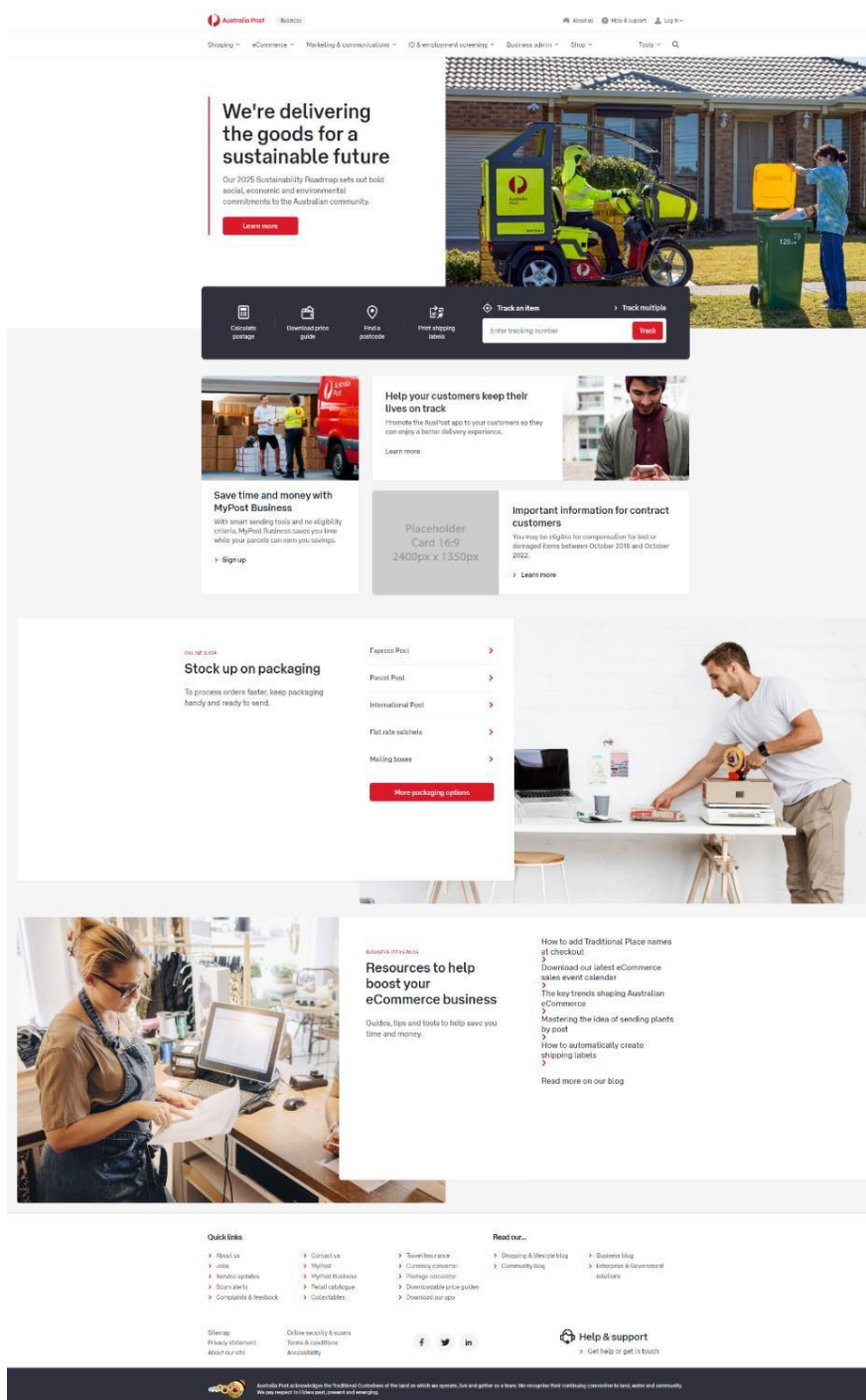
17. Australia Post will promptly and fully implement any recommendations that the ACCC considers reasonably necessary to ensure that Australia Post maintains and continues to implement the Compliance Program in accordance with the requirements of this Undertaking.

Annexure B

A. Proposed website communications

(a) Australia Post – Website

The following tile, as indicated by the red arrow **below**, will be included on the Australia Post business website homepage (<https://auspost.com.au/business>):



This tile will link to the following 'Learn more' page:

Important information about compensation for contract customers

We've recently identified an issue that impacted how we handled compensation claims made by some of our contract customers for lost or damaged articles between October 2018 and October 2022. We have voluntarily entered into an Enforceable Undertaking with the Australian Competition & Consumer Commission (**ACCC**) in respect of this issue, after having self-reported and cooperated with the ACCC.

Read on to learn how to make a claim for compensation if you were impacted.

The issue

We may have incorrectly denied requests for compensation for postage costs made by some contract customers, in relation to some eligible claims for lost or damaged articles in a manner inconsistent with our legal obligations.

We have fixed this issue and put processes in place to prevent it from recurring.

What does this mean for you?

If you had a contract with Australia Post and submitted a request for compensation for a lost or damaged article between 26 October 2018 and 31 October 2022 and it was denied, you may be eligible to receive compensation.

Most business contract customers we have identified as potentially impacted will be automatically compensated. All other customers can access a simple claims process for remediation.

The compensation you may be eligible for would include a refund of the postage amount you paid for the article (including any applicable surcharges), plus interest (calculated at the average Reserve Bank of Australia interest rate during the relevant period plus an additional 2 per cent).

How to make a claim

If you have been notified that you are eligible for automatic compensation and that we require your payment details, you will need to confirm your details via the [Claims Portal](#) (supported by Deloitte) using the unique reference number noted in those communications.

You can also submit a claim for compensation for articles lost or damaged between 26 October 2018 and **[insert date]** via the [Claims Portal](#). This portal can only be used for claims relating to this issue.

When submitting each claim, you'll need to:

- provide the tracking ID for each relevant article; and
- if you're a former contract customer without an active Business Credit Account, provide evidence of authority to claim on behalf of the business who was a party to the contract with Australia Post (for example, a copy of the former contract).

How long do I have to submit a claim?

You have until **[insert date]** to submit a claim.

What happens after I submit my claim?

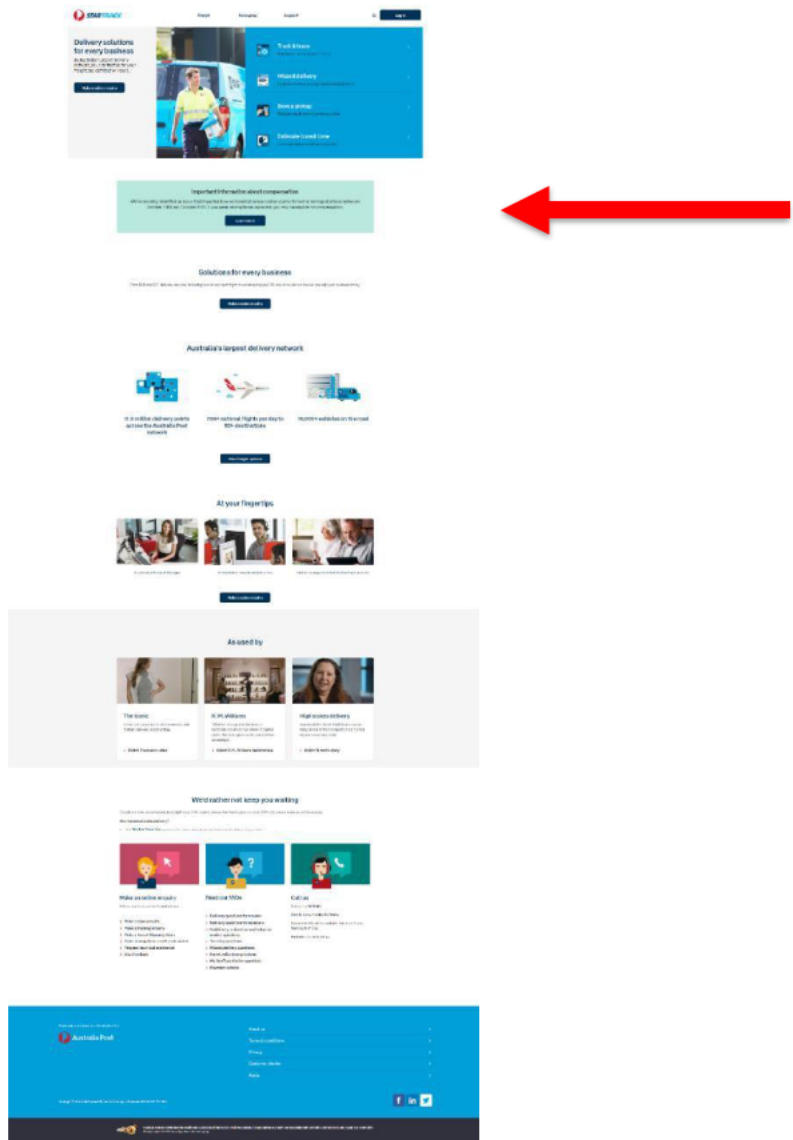
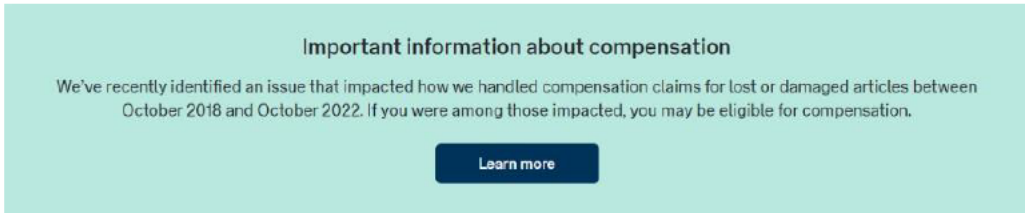
We'll contact you with a progress update within 15 business days from the date you submit your claim(s).

Need more information?

More information, including frequently asked questions and answers, is available via the [Claims Portal](#). If you are having issues accessing the portal or have any questions, please contact us on (03) 9640 1791.

(b) StarTrack – Website content

The following callout banner, as indicated by the red arrow below, will be included on the StarTrack website homepage (<https://startrack.com.au/>):



This tile will link to the following 'Learn more' page:

Important information about compensation

We've recently identified an issue that impacted how we handled compensation claims for lost or damaged articles between October 2018 and October 2022. We have voluntarily entered into an

Enforceable Undertaking with the Australian Competition & Consumer Commission (**ACCC**) in respect of this issue, after having self-reported and cooperated with the ACCC.

Read on to learn how to make a claim for compensation if you were impacted.

The issue

We may have incorrectly denied requests for compensation in relation to some eligible claims for lost or damaged articles in a manner inconsistent with our legal obligations.

We have fixed this issue and put processes in place to prevent it from recurring.

What does this mean for you?

If you had a **contract with StarTrack** and submitted a request for compensation for a lost or damaged article between 26 October 2018 and 31 October 2022 and it was denied, you may be eligible to receive compensation for postage costs in respect of that lost or damaged article. Most business contract customers will be automatically compensated. All other customers can access a simple claims process for remediation. The compensation would include a refund of the postage amount you paid for the article (including any applicable surcharges), plus interest (calculated at the average Reserve Bank of Australia interest rate during the relevant period plus an additional 2 per cent).

If you were a **receiver (or intended receiver) of a StarTrack delivery** who requested compensation for a lost or damaged article between 26 October 2018 and 31 October 2022 and it was denied, you may be eligible for compensation. This compensation could include the value or cost of the article and any postage costs you may have paid, plus interest (calculated at the average Reserve Bank of Australia interest rate during the relevant period plus an additional 2 per cent).

You will not be eligible for compensation if the sender of the article provided you with a refund or replacement for your article and a refund of any postage costs that you paid at the time.

How to make a claim

If you have been notified that you are eligible for automatic compensation and that we require your payment details, you will need to confirm your details via the [Claims Portal](#) (supported by Deloitte) using the unique reference number noted in those communications.

You can also submit a claim for compensation for articles lost or damaged between 26 October 2018 and **[insert date]** via the [Claims Portal](#). This portal can only be used for claims relating to this issue.

If you're a **contract customer**, for each claim you'll need to:

- provide the tracking ID (or consignment number) for each relevant article; and
- if you're a former contract customer without an active Business Credit Account (or charge account), provide evidence of authority to claim on behalf of the business who was a party to the contract with Australia Post (for example, a copy of the former contract).

If you're a **receiver**, you'll need to:

- provide the tracking ID (or consignment number) for the relevant article; and
- provide proof of value of the article, such as a receipt, bank statement or other proof of purchase showing the article's value.

Please note that if we receive claims for compensation as part of this claims process in respect of the same article from both the sender and receiver, we will provide compensation to the first claim received, not both. If you are a receiver, you may still be entitled to compensation for the value or cost of the article.

How long do I have to submit a claim?

You have until **[insert date]** to submit a claim.

What happens after I submit my claim?

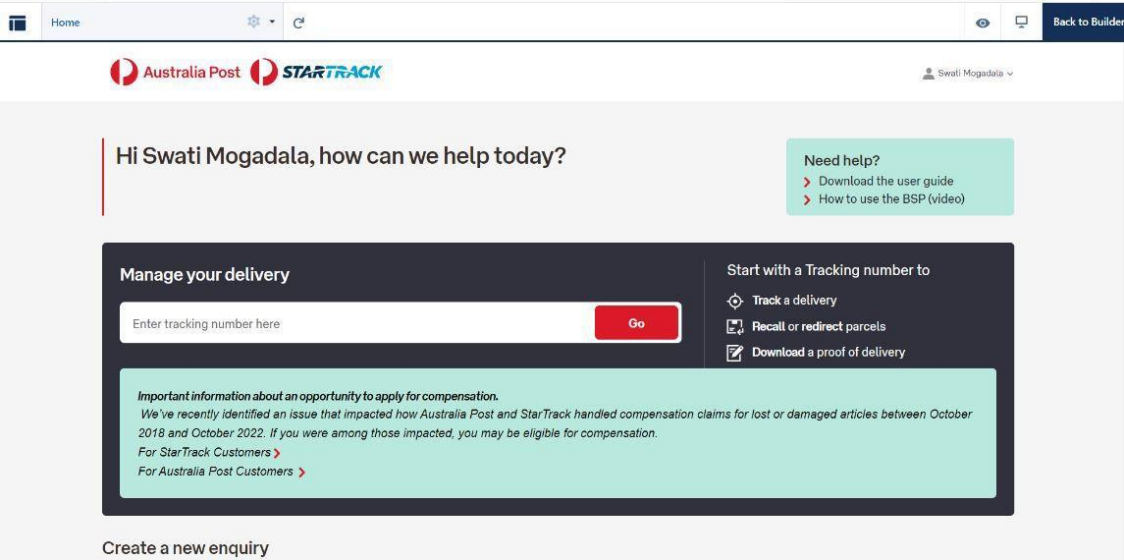
We'll contact you with a progress update within 15 business days from the date you submit your claim(s).

Need more information?

More information, including frequently asked questions and answers, is available via the [Claims Portal](#). If you are having issues accessing the portal or have any questions, please contact us or contact us on (03) 9640 1791.

(c) Australia Post / StarTrack – Business Support Portal (BSP)

The following tile will be included on the BSP homepage:



B. StarTrack Receivers

Subject: Important information about an opportunity to apply for compensation

Dear Customer

We have recently identified an issue that impacted how StarTrack historically handled compensation claims for lost or damaged articles. We have voluntarily entered into an Enforceable Undertaking with the Australian Competition & Consumer Commission (**ACCC**) in respect of this issue, after having self-reported and cooperated with the ACCC.

The issue

Between 26 October 2018 and 31 October 2022 (the **relevant period**), StarTrack may have incorrectly denied one or more of your claims for compensation for lost or damaged articles.

You can submit a compensation claim for any articles lost or damaged by StarTrack from 26 October 2018 to the date of this letter. For valid claims, you are eligible for:

- the value of the article's contents and any postage costs you may have paid; and
- interest (calculated at the average Reserve Bank of Australia interest rate in the relevant period plus an additional 2 per cent).

You will not be eligible for compensation if you are the receiver, and the sender of the article provided you with a refund or replacement for your article and a refund of any postage costs that you paid at the time.

How to claim

You can make a claim via the Claims Portal (hosted by Deloitte) which is accessible via the StarTrack website homepage.

To claim, you will need to provide some limited information that you should already have easy access to, including:

- the tracking ID (or consignment number) for each article; and
- proof of value for each article (for example, a receipt, bank statement or other proof of purchase evidencing the value of the article).

You have six months from the date of this letter to submit a claim.

After you submit a claim, you will receive an e-mail confirming receipt and a claim number. We will aim to process claims and pay compensation within 15 business days of receiving a claim. If that is not possible, we will update you as soon as possible.

Need more information?

If you have issues accessing the Claims Portal or any other questions, please call us.

We understand in today's security-conscious world, people need to be careful about providing their details to third parties. StarTrack is reaching out via email as part of our compensation program. If you would like more information, please visit our website.

This is genuine correspondence from StarTrack. If you are concerned about its authenticity please visit the ACCC's website.

We apologise sincerely for this error and have updated our processes to seek to ensure that this does not occur again.

Kind regards,

[insert signatory]

C. Large Account Managed Customers

Subject: Important information about an opportunity to apply for compensation

Dear Customer

We have recently identified an issue that impacted how [Australia Post or StarTrack] historically handled compensation claims made by some of its contract customers for lost or damaged articles. We have voluntarily entered into an Enforceable Undertaking with the Australian Competition & Consumer Commission (**ACCC**) in respect of this issue, after having self-reported and cooperated with the ACCC.

The issue

Between 26 October 2018 and 31 October 2022 (the **relevant period**), [Australia Post or StarTrack] may have incorrectly denied one or more of your claims for a refund of postage costs for lost or damaged articles.

You can submit a compensation claim for any articles lost or damaged by [Australia Post or StarTrack] from 26 October 2018 to the date of this letter. For valid claims, you are eligible for:

- a refund of the postage amount you paid for the relevant articles (including any applicable surcharges); and
- interest (calculated at the average Reserve Bank of Australia interest rate in the relevant period plus an additional 2 per cent).

How to claim

You can make a claim via the Claims Portal (hosted by Deloitte), which is accessible via a tile on the [Australia Post or StarTrack] business website homepage.

To claim, you will need:

- the tracking ID for each article; and
- if you no longer have an active Business Credit Account, evidence of your authority to claim for your business (for example, a copy of your business' contract with us).

You have six months from the date of this letter to submit any claims.

After you submit a claim, you will receive an e-mail confirming receipt and a claim number. We will aim to process claims and pay compensation within 15 business days of receiving a claim. If that is not possible, we will update you as soon as possible.

Need more information?

If you have issues accessing the Claims Portal or any other questions, please call us.

We understand in today's security-conscious world, people need to be careful about providing their details to third parties. [Australia Post or StarTrack] is reaching out via email as part of our compensation program. If you would like more information, please visit our website.

This is genuine correspondence from [Australia Post or StarTrack]. If you are concerned about its authenticity, please visit the ACCC's website.

We apologise sincerely for this error and have updated our processes to seek to ensure that this does not occur again.

Kind regards,

[insert signatory]

D. Single BCA Customers

Subject: Important information about compensation available to you

Unique reference number: [insert]

Dear Customer

We have recently identified an issue that impacted how [Australia Post or StarTrack] historically handled compensation claims made by some of its contract customers for lost or damaged articles. We have voluntarily entered into an Enforceable Undertaking with the Australian Competition & Consumer Commission (ACCC) in respect of this issue, after having self-reported and cooperated with the ACCC.

The issue

Between 26 October 2018 and 31 October 2022 (the **relevant period**), [Australia Post or StarTrack] may have incorrectly denied one or more of your claims for a refund of postage costs for lost or damaged articles.

[Australia Post or StarTrack] apologises for this error and is providing you \$[insert amount] as compensation. This payment includes:

- a refund of the postage amount you paid for the relevant articles (including any applicable surcharges); and
- interest (calculated at the average Reserve Bank of Australia interest rate over the relevant period plus an additional 2 per cent).

This compensation will be automatically credited into your active Business Credit Account. You will see this credit on your next invoice.

How to claim for additional articles

If you believe [Australia Post or StarTrack] may have incorrectly denied additional claims for a postage refund, you can submit a compensation claim for any other articles lost or damaged by Australia Post from 26 October 2018 to the date of this letter.

You can make a claim via the Claims Portal (hosted by Deloitte), which is accessible via a tile on the [Australia Post or StarTrack] business website homepage. To claim, you will need:

- the tracking ID for each article; and
- if you no longer have an active Business Credit Account, evidence of your authority to claim for your business (for example, a copy of your business' contract with us).

Please note: The Claims Portal will be open for six months from the date of this letter for you to provide this information.

After you submit a claim, you will receive an e-mail confirming receipt of the claim and a claim number.

Need more information?

We will aim to process claims and pay compensation within 15 business days of receiving a claim or your payment information. Should there be any delays, we will update you as soon as possible.

If you have issues accessing the Claims Portal or if you have any other questions, please call us and quote your unique reference number (noted above).

We understand in today's security-conscious world, people need to be careful about providing their details to third parties. [Australia Post or StarTrack] is reaching out as part of our compensation program. If you would like more information, please visit our website.

This is genuine correspondence from [Australia Post or StarTrack]. If you are concerned about its authenticity, please visit the ACCC's website.

We sincerely apologise for this error and have updated our processes to seek to ensure that this does not occur again.

Kind regards,

[insert signatory]

E. Multiple BCA Customers

Subject: Important information about compensation available to you

Unique reference number: [insert]

Dear Customer

We have recently identified an issue that impacted how [Australia Post or StarTrack] historically handled compensation claims made by some of its contract customers for lost or damaged articles. We have voluntarily entered into an Enforceable Undertaking with the Australian Competition & Consumer Commission (**ACCC**) in respect of this issue, after having self-reported and cooperated with the ACCC.

The issue

Between 26 October 2018 and 31 October 2022 (the **relevant period**), [Australia Post or StarTrack] may have incorrectly denied one or more of your claims for a refund of postage costs for lost or damaged articles.

[Australia Post or StarTrack] apologises for this error and wants to pay you \$[insert amount] as compensation. This payment includes:

- a refund of the postage amount you paid for the relevant articles (including any applicable surcharges); and
- interest (calculated at the average Reserve Bank of Australia interest rate over the relevant period plus an additional 2 per cent).

To receive this compensation, you need to provide your unique reference number (noted above) along with your active Business Credit Account information or Electronic-Funds Transfer details. You can submit this information via the Claims Portal (hosted by Deloitte), which is accessible via a tile on the Australia Post business website homepage.

Please note: The Claims Portal will be open for six months from the date of this letter for you to provide this information. If we do not hear from you within six months, we will apply a credit for the compensation amount to your Business Credit Account that is the most actively used.

How to claim for additional articles

If you believe [Australia Post or StarTrack] may have incorrectly denied additional claims for a postage refund, you can submit a compensation claim for any other articles lost or damaged by [Australia Post or StarTrack] from 26 October 2018 to the date of this letter.

You can make a claim via the Claims Portal. To claim, you will need:

- the tracking ID for each article; and
- if you no longer have an active Business Credit Account, evidence of your authority to claim for your business (for example, a copy of your business' contract with us).

Please note: The Claims Portal will be open for six months from the date of this letter for you to provide this information.

After you submit a claim, you will receive an e-mail confirming receipt of the claim and a claim number.

Need more information?

We will aim to process claims and pay compensation within 15 business days of receiving a claim or your payment information. Should there be any delays, we will update you as soon as possible.

If you have issues accessing the Claims Portal or if you have any other questions, please call us and quote your unique reference number (noted above).

We understand in today's security-conscious world, people need to be careful about providing their details to third parties. [Australia Post or StarTrack] is reaching out via email as part of our compensation program. If you would like more information, please visit our website.

This is genuine correspondence from [Australia Post or StarTrack]. If you are concerned about its authenticity, please visit the ACCC's website.

We sincerely apologise for this error and have updated our processes to seek to ensure that this does not occur again.

Kind regards,

[insert signatory]

F. Non-Active BCA Customers

Subject: Important information about compensation available to you

Unique reference number: [insert]

Dear Customer

We have recently identified an issue that impacted how [Australia Post or StarTrack] historically handled compensation claims made by some of its contract customers for lost or damaged articles. We have voluntarily entered into an Enforceable Undertaking with the Australian Competition & Consumer Commission (**ACCC**) in respect of this issue, after having self-reported and cooperated with the ACCC.

The issue

Between 26 October 2018 and 31 October 2022 (the **relevant period**), [Australia Post or StarTrack] may have incorrectly denied one or more of your claims for a refund of postage costs for lost or damaged articles.

Australia Post apologises for this error and wants to pay you \$[insert amount] as compensation. This payment includes:

- a refund of the postage amount you paid for the relevant articles (including any applicable surcharges); and
- interest (calculated at the average Reserve Bank of Australia interest rate over the relevant period plus an additional 2 per cent).

To receive this compensation, you need to provide your unique reference number (noted above) along with your active Business Credit Account information or Electronic-Funds Transfer details. You can submit this information via the Claims Portal (hosted by Deloitte), which is accessible via a tile on the Australia Post business website homepage.

Please note: The Claims Portal will be open for six months from the date of this letter for you to provide this information. If we do not hear from you within six months, we will send you a cheque with the compensation amount to an address we have on record for you.

How to claim for additional articles

If you believe [Australia Post or StarTrack] may have incorrectly denied additional claims for a postage refund, you can submit a compensation claim for any other articles lost or damaged by Australia Post from 26 October 2018 to the date of this letter.

You can make a claim via the Claims Portal. To claim, you will need:

- the tracking ID for each article; and
- if you no longer have an active Business Credit Account, evidence of your authority to claim for your business (for example, a copy of your business' contract with us).

Please note: The Claims Portal will be open for six months from the date of this letter for you to provide this information.

After you submit a claim, you will receive an e-mail confirming receipt of the claim and a claim number.

Need more information?

We will aim to process claims and pay compensation within 15 business days of receiving a claim or your payment information. Should there be any delays, we will update you as soon as possible.

If you have issues accessing the Claims Portal or if you have any other questions, please call us and quote your unique reference number (noted above).

We understand in today's security-conscious world, people need to be careful about providing their details to third parties. [Australia Post or StarTrack] is reaching out via email as part of our compensation program. If you would like more information, please visit our website.

This is genuine correspondence from [Australia Post or StarTrack]. If you are concerned about its authenticity, please visit the ACCC's website.

We sincerely apologise for this error and have updated our processes to seek to ensure that this does not occur again.

Kind regards,

[insert signatory]