
Adjudication

Authorisations

The Commission has the function, through the authorisation process, of adjudicating on proposed mergers and certain anti-competitive practices that would otherwise breach the Trade Practices Act.

Authorisation provides immunity from court action and is granted if the Commission is satisfied that the practice delivers offsetting public benefits.

Determination

Agsafe, DrumMUSTER (A30194) Application for minor variation to change the current eligibility criteria for containers accepted by the drumMUSTER program to include hazardous and non-hazardous product containers.

Final determination 14.8.02.

Notifications finalised

The following notifications have been allowed to stand.

Clear Capital Management Pty Ltd and Computer Fleet Management Pty Ltd (N31148, N31165) Provision of finance to mobile phone customers with nominated supplier to be Vodafone.

eChoice Pty Ltd (N91003) eChoice will offer discounts in relation to the provision of its services to nominated customers.

Computer Fleet Management Pty Limited (N31148) Provision of services to mobile phone customers. Nominated supplier (Vodafone).

Australian Integrated Finance Pty Ltd (N31159) Nominated suppliers for the provision of telecommunications and office equipment—with Vircom Solutions Pty Ltd.

Vircom Solutions Pty Ltd (N31158) Nominated suppliers for the provision of telecommunications and office equipment—with Australian Integrated Finance Pty Ltd.

Davcorp Group Pty Ltd t/a Blockbuster Phillip and St Anna Simone Global

Restaurants Pty Ltd (N91010–11) Offer of discount when products are purchased from Blockbuster Phillip (reciprocal arrangement).

Australia and New Zealand Banking Group ANZ (N40529) Qantas Telstra Visa Card new loyalty program.

Caltex Australia Petroleum Pty Ltd (N31162) Issue of Caltex Starcards to corporate customers and reissue to franchisees and or associates.

Western Australian Tourism Commission (N70305, N70331) Visitor centres and regional tourism authorities—virtual network project (third line forcing).

Rapid Solutions Pty Ltd (N31163) Offer of franchise agreements for urban pest control industry on condition professional indemnity and general liability insurance are acquired from a nominated insurer (third line forcing).

Val Morgan CineTicket (N70301–4) Hornsby Inn, McDonald's Hornsby, KFC Whitfords and Adelaide Zoo—ticket advertising.

Estee Lauder Pty Ltd (N31167) Give a product from a specific range at no charge to consumers who during the promotional period purchase a specific product type using a MasterCard.

ASGARD Capital Managements Ltd (N91012) Offer to participate in ASGARD's separately managed accounts on condition that a deposit account needed to facilitate the settlement of all transactions be opened with St George.

Hewlett Packard Australia Ltd (N40528) HPA and others offer bundled arrangement for financed multi-function printers support and maintenance service and consumables—price per performance.

Vodafone Pty Ltd (N91008) Vodafone acting as agent for Telepathy System Pty Ltd compelling customers to connect to the Vodafone network (third line forcing).

BHP Group Employees Credit Co-operative Limited (N91019) Taking security over uncertificated shares registered on the clearing house electronic subregister system (CHESS).

Australian Partnership of

PricewaterhouseCoopers (N31168)

Requirement that users of PmC Accounts install and/or use the CaseWare software product as a platform for using the PwC eValue Accounts templates.

Caltex Australia Petroleum Pty Ltd (N31169)

StarCash cards.

Vodafone Pty Ltd (N91008) Arrangement with Clear Capital Management—lending facilities for the purchase of mobile phone equipment (notice withdrawn).

ANZ Banking Group Limited (N31160)

Proposed arrangement which ANZ will offer the APEP Plus on condition the borrower purchases shares through ANZ Securities or a broker approved by ANZ.

ANZ Banking Group Limited (N31161) ANZ Protected Equity Portfolio—borrower to utilise ANZ Securities as security over the purchase of uncertificated shares, and a nominated third party as the issuer of the unit trusts (third line forcing).

ANZ Banking Group (N40531) Offer to supply account transaction services to employees of customers of PayGlobal in Australia (third line forcing).

ANZ Banking Group Limited (N91013–4) Two notifications lodged (third line forcing).

1. ANZ Protected Equity Product (APEP). Use of ANZ Securities Ltd as executing broker for the passive switch option (PSO).
2. APEP PSO—nominated unit trust.

ANZ Banking Group Limited (N91015–8) Four notifications lodged (third line forcing).

1. ANZ Protected Equity Portfolio Plus—customer to use ANZ Securities Ltd as the clearing participant to clear written call options.
2. Active Switch Option (ASO) customer to use ANZ Securities as executing broker when exercising the ASO.
3. Use of nominated unit trust passive switch option (PSO).
4. Passive switch option—customer must use ANZ Securities as the executing broker.

Smile Communications Australia Pty Ltd

(N90121) Discount offered on condition customers acquire business internet services from Optus (third line forcing).

QBE Insurance (Australia) Limited (N91022)

Benefits offered to customers who purchase travel insurance with Qantas (third line forcing).

Rafcorp Pty Ltd t/a Mobil Evanston (N91027)

Discounted fuel offered to customers who purchase goods from Coles Gawler (third line forcing).

GMHBA Limited (N91025) Offer of discounts for members of participating superannuation funds administered by Industry Fund Services Pty Ltd (third line forcing).

Bridgestone Australia Ltd (N60033) Motor vehicle tyres sold at a discount to Holden retailers pursuant to a dealership or service agreement.

Esanda Finance Corporation Limited

(N91026) Supply financial services to applicants with marginal credit risk ratings on condition that loancover gapcover or extended warranty insurance are acquired from Swan (third line forcing).

Subaru (Aust) Pty Limited (N91028) Discount offered to dealers for the acquisition of Subaru Impreza RV vehicles if dealers obtain wholesale finance from General Motors Acceptance Corporation.

AusBulk (N90980) Requiring growers to obtain a National Grower Register card to deliver grain to an AusBulk silo (third line forcing).

Ipswich Properties Pty Ltd (N91023) Arrangement with Tip Top Dry Cleaners Pty Ltd t/a Tip Top Mobil Golden Grove. Offer of discounted fuel for proof of purchase of goods from selected supermarkets.

Kodak (Australasia) Pty Ltd (N31174) Product at no charge when specific camera is purchased with MasterCard (third line forcing).

Qantas Airways Limited (N91029) Offer of Qantas Frequent Flyer program to customers who are successful in their application for a credit card.

Val Morgan CineTicket Pty Ltd (N70335, N70352) Discount offered on the presentation of a cinema ticket supplied by Greater Union. Advertising by various companies on reverse side of ticket (third line forcing).

Village Cinemas Australia Pty Ltd and Intencity Pty Ltd (N91030) Crazy Tuesday discount when ticket purchased at Village cinemas (third line forcing).

AB Management Computer Fleet Management Perpetual Trustee Company and Clear Capital Management (N31183–6)

Availability of personal loans to customers of mobile phone retail outlets (third line forcing).