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**From:** Laura Hablous [REDACTED]  
**Sent:** Wednesday, 5 April 2023 6:47 PM  
**To:** Simon Pomery  
**Cc:** Simone Fletcher; Armaguard-Prosegur Merger  
**Subject:** RE: Armaguard/Prosegur merger authorisation – consultation on Proposed Undertaking [SEC=OFFICIAL] [ACCC-ACCCANDAER.FID3290937] [WBC-IMANAGE.FID851643]

Hi Simon

Further to our call, we will not be providing a detailed submission in relation to the proposed undertaking. However, we have reviewed the undertaking and, although it seeks to deal with a lot of the main issues that might arise if the merger proceeds, there is still a lack of clarity around some of the key issues. We have set out very briefly below some of the areas that we consider to be important.

- **Impact on existing contracts:** In section 4, there seems to be a need for additional clarification that prices (for existing customers) are going to be honoured for the life of the existing contracts. For example, does clause 4.14 apply only to new contracts with large customers or is it broader.
- **Pricing considerations:** Several of the clauses relating to pricing are not clear.
  - The concept of Common Costs includes costs that also relate to Non-CIT Services which requires further consideration as, on its face, this does not necessarily seem appropriate.
  - Although it appears that the intention is for prices to be negotiated, there are a number of provisions which seem to be at odds with this or are unclear such as clauses 4.6 and 4.13.
- **Service offering:** The commitments in relation to service offering are vague and do not provide certainty in relation to some of the more specific service concerns that Westpac has which we have previously discussed with you, for example frequency of delivery. In addition, without any defined list of cash point locations the nature of the geographic coverage being offered is unclear.
- **Variation of undertaking:** Section 3 allows for the undertaking to be varied on application to the ACCC and it appears that this could occur without the opportunity for impacted parties to comment.

Kind regards

Laura

## Laura Hablous

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**W** GROUP