



Our ref: MA1000023

Contact officer: Sharon Wong
Contact phone: 02 6243 1125

21 June 2023

Peter Armitage
Ashurst Australia
5 Martin Place
Sydney NSW 2000

By email: Peter.Armitage@ashurst.com

Dear Mr Armitage

Gadigal people of the Eora Nation
Level 27, 135 King Street
Sydney NSW 2000
GPO Box 3131
Canberra ACT 2601
Tel 02 9230 9133
www.accc.gov.au

Re: ANZ proposed acquisition of SBGH Limited

We refer to the application for authorisation lodged with the Australian Competition and Consumer Commission (the **ACCC**) on 2 December 2022 by Australia and New Zealand Banking Group Limited (**ANZ**).

To assist the ACCC's review, the ACCC requests ANZ provide the information set out in **Attachment A** by no later than **5:00pm on 27 June 2023**.

If ANZ claims confidentiality over some or all of the information provided to the ACCC, please highlight the specific information in your response over which confidentiality is claimed. The ACCC accepts information on a confidential basis provided:

- there is no restriction on the internal use, including future use, that the ACCC may make of the information consistent with its statutory functions
- the confidential information may be disclosed to the ACCC's external advisors and consultants on condition that each such advisor or consultant will be informed of the obligation to treat the information as confidential, and
- the ACCC may disclose the confidential information to third parties (in addition to its external advisors or consultants) if compelled by law or in accordance with section 155AAA of the *Competition and Consumer Act 2010* (Cth).

More information is available in the [ACCC's guidelines](#) for excluding confidential information from the public register.

Subject to our consideration of any request for exclusion from the public register, a public version of ANZ's response to this letter (with any confidential information redacted) will be placed on the ACCC's public register. This letter will also be published on the public register.

ANZ and its lawyers should ensure that information provided to the ACCC is correct and not misleading, including by omission of material information. Submissions should be supported by factual information and accurately reflect the commercial experience of ANZ.

If you wish to discuss any aspect of this letter, please contact Sharon Wong on (02) 6243 1125 or at sharon.wong@acc.gov.au

Yours sincerely

A handwritten signature in cursive script that reads "markbasile". The letters are connected and fluid, with a prominent loop at the end of the word.

Mark Basile
Executive Director
Mergers Investigations

Attachment A: ACCC request for information

1. Provide more information on the methodology underpinning Exhibit “SCE-8” to the Supplementary Statement of Shayne Elliott dated 17 May 2023, being the spreadsheet with the file name “Flagstaff – 20230515 – Global peers ROE” (hereafter called **Exhibit “SCE-8”**):
 - a. We understand Flagstaff Partners selected the banks in each jurisdiction because they are comparable to the Australian major banks based on their high level of Gross Loans and Advances (**GLA**).
 - Describe how and why Flagstaff Partners chose the level or range of GLA to be applied to the banks in each jurisdiction.
 - Provide the level or range of GLA applied to the banks in each jurisdiction.
 - Provide the level of GLA of each bank in Exhibit “SCE-8”.
 - Provide details of which countries Flagstaff Partners obtained GLAs for and considered to be incomparable to Australia.
 - b. Explain whether there are other developed countries with banks that may have high levels of GLA have not been included in the analysis of Exhibit “SCE-8”.
 - c. Explain the methodology for selecting the number of banks for each jurisdiction.
2. Apply the same methodology and time range used in the calculation of Exhibit “SCE-8” and calculate the Return on Equity indexes for the following countries:
 - a. Colombia
 - b. France
 - c. Germany
 - d. Italy
 - e. Japan
 - f. Korea
 - g. Mexico
 - h. Netherlands
 - i. Poland
 - j. Spain
 - k. Turkey
 - l. United States.
3. Provide the GLA for each of the banks selected in response to item 2 and the underlying data and calculations underpinning the analysis of item 2.