

# Annexure P

*Competition and Consumer Act 2010 (Cth)*

## **Undertaking to the Australian Competition and Consumer Commission given by the applicant acquirer(s) for the purposes of section 87B**

**by**

**Telstra Corporation Limited (ACN 051 775 556)**

**and**

**TPG Telecom Limited (ACN 096 304 620)**

1. This undertaking (the **Undertaking**) is given to the Australian Competition and Consumer Commission (the **ACCC**) by Telstra Corporation Limited (ACN 051 775 556) (**Telstra**) of 242 Exhibition Street, Melbourne, Victoria 3000 and TPG Telecom Limited (ACN 096 304 620) of Level 1, 177 Pacific Highway, North Sydney, NSW 2060 (**TPG**) (together, the **Parties**) under section 87B of the *Competition and Consumer Act 2010* (Cth) (the **Act**).
2. Telstra and TPG have made an application for a merger authorisation pursuant to section 88 of the Act in respect of TPG's grant to Telstra of an authorisation to use certain spectrum (such authorisation deemed to be an acquisition within the meaning of section 50 of the Act pursuant to section 68(1) of the *Radiocommunications Act 1992* (Cth)).
3. The Parties hereby undertake that they will not implement the authorisation referred to in paragraph 2 while the application is being considered by the ACCC.
4. This Undertaking comes into effect when:
  - (a) the Undertaking is executed by the Parties, and
  - (b) the ACCC accepts the Undertaking so executed.
5. The Parties acknowledge that the ACCC will make this Undertaking available for public inspection.

### **EXECUTED AS AN UNDERTAKING**

**EXECUTED BY Telstra Corporation Limited (ACN 051 775 556) and TPG Telecom Limited (ACN 096 304 620)**

pursuant to section 127 (1) of the *Corporations Act 2001* (Cth).

**Telstra Corporation Limited (ACN 051 775 556)**

\_\_\_\_\_  
Signature of director



\_\_\_\_\_  
Name of director (print)  
ANDREW PENN

Date: 20 May 2022

\_\_\_\_\_  
Signature of company secretary



\_\_\_\_\_  
Name of company secretary (print)  
SUE LAVER

Date: 20 May 2022

**TPG Telecom Limited (ACN 096 304 620)**

\_\_\_\_\_  
Signature of director

\_\_\_\_\_  
Signature of company secretary

\_\_\_\_\_  
Name of director (print)

\_\_\_\_\_  
Name of company secretary (print)

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Accepted by the Australian Competition and Consumer Commission pursuant to section 87B of the Act:

And signed on behalf of the ACCC:

~~Chairman~~ Deputy Chair

Date



Name: Michael John Keogh

Name:

Position: Deputy Chair

Position:

Date: 2 June 2022

Date: