

QW51: If so, at what sum does the bank believe that late payment fees on credit cards become unlawful penalties? Is that sum \$40, \$50, \$75, \$100, \$200 or another amount?

Answer: Westpac has no view on this issue, which is a legal question for the Courts. However, Westpac notes that the High Court of Australia has found that ANZ Bank's credit card late payment fee was not an unlawful penalty at \$35. Westpac's credit card late payment fee is currently only \$9, and so the issue of the level at which that fee might become an unlawful penalty is not an issue that Westpac has been required to consider.