



Australian Competition & Consumer Commission

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Our Ref: PRISM 11081
Your Ref: PRH 2263064
Contact Officer: Trevor Cheung
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21 September 2000

Paul Holm
Partner
Phillips Fox Lawyers
255 Elizabeth Street
Sydney NSW 2000

Dear Mr Holm

**Notification of Third Line Forcing N031029
Lodged by Getonboard Pty Ltd**

I refer to the above notification by Getonboard Pty Ltd ('Getonboard') supplying personal computers at a discount on condition that the purchaser acquire specific Internet services from Gateway Pty Ltd ('Gateway'). The above notification was lodged with the Australian Competition and Consumer Commission ('the Commission') on 22 August 2000 and has been placed on the Commission's public register. Legal immunity provided by the third line forcing provisions of the *Trade Practices Act 1974* came into force on 5 September 2000.

I do not intend to make inquiries concerning the notified conduct at this time. However, the Commission may at any time act to remove immunity in respect to third line forcing notifications if it is satisfied that the likely benefit to the public arising from the notified conduct will not outweigh the likely detriment to the public arising from the notified conduct.

Getonboard should ensure the package is not presented to consumers in a misleading or deceptive manner and that consumers are fully informed of the following:

- (1) that the bundled computer and Internet services can be purchased at the discounted price without the finance component;
- (2) the full cash price of the computer package both with and without finance;
- (3) the costs, conditions and interest rate associated with the finance component;



- (4) the terms and conditions associated with the Internet access, including the fees associated with terminating the Internet access before the access contract expires.

It should be noted that the immunity afforded by the notification applies only to Getonboard and does not cover any third line forcing by Gateway or NRMA Building Society Ltd as part of the arrangement.

Should you have any questions in relation to this matter, please contact Trevor Cheung on (02) 6243 1168 or Richard Chadwick on (02) 6243 1221.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tim Grimwade', written in a cursive style.

Tim Grimwade
A/g General Manager
Adjudication Branch