



Australian Competition & Consumer Com

P.R.
D01/13317



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Australia
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Your Ref: 187/705/1525024
Our Ref: N31087

Mr Clive Cachia
Solicitor
Clayton Utz
PO Box H3
Australia Square
SYDNEY NSW 1215

Dear Mr Cachia,

Notification of Exclusive Dealing - The Golf Card Pty Limited - N31087

I refer to a notification of exclusive dealing lodged by The Golf Card Pty Limited on 21 December 2000. The conduct relates to a loyalty program whereby various discounts on golf related goods and services are linked to the use of a credit card issued by the Commonwealth Bank.

A company engages in third line forcing conduct if it supplies a product, at a particular price or discount, on condition that the customer also purchases another product from another supplier. Based on the information provided and confirmed with Mr Lee Godwin of The Golf Card Pty Limited, it appears that the parties listed in Schedule A are engaging in third line forcing conduct rather than The Golf Card Pty Limited. The legislation does not envisage that a notification can be made by a corporation on behalf of other persons.

Having brought this to the attention of Mr Godwin, he has asked that the notification remain lodged with the Commission in any case.

I do not intend to make inquiries at this stage in relation to the notified conduct. I would appreciate it if you would bring to the attention of the Golf Card partners that, in the absence of notification by them, they would not be protected from any third party action in respect of the relevant conduct.



If you have any queries relating to this matter, please do not hesitate to contact Jewel Gilbert on (02) 6243 1225.

Yours sincerely

A handwritten signature in black ink, appearing to read 'T Grimwade', written in a cursive style.

Tim Grimwade
A/g General Manager
Adjudication Branch.

2 May 2001.