



D01/22759



RAC000/TP4

**Australian Competition & Consumer Commission**

Our Ref: C2001/843  
Contact Officer: Danielle Staltari  
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19 July 2001

Mr Philip Young  
Retail Lawyer  
St George Bank Limited  
PO Box R221  
ROYAL EXCHANGE NSW 1225

Dear Mr Young

**Notification of Exclusive Dealing – St George Bank Limited (N31115)**

I refer to the exclusive dealing notification lodged by St George Bank Limited on 27 June 2001 with the Australian Competition and Consumer Commission (the Commission). The notification has been placed on the Commission's public register. On the basis of the information you have provided, I do not intend to make further inquiries in relation to the notified conduct at this time.

As you may be aware, notification has the effect of affording immunity to the person notifying (the *Trade Practices Act 1974* does not enable a person to notify on others' behalf).

It appears from the information you have provided that the third party retailers and service providers may be the persons actually engaging in third line forcing. Please be advised that any immunity afforded as a result of your notification does not extend to third party retailers that supply discounted products or services to consumers who purchase by way of credit card issued by a St George Group company.

Whilst I would not expect the Commission to take action in relation to the conduct notified on the basis of the information you have provided (and without the benefit of market inquiries), it would be open for third parties to take action against third line forcing by those third party retailers.

I would be grateful if you would advise those third party retailers who propose to participate in the conduct with St George Bank of the above, and that they may wish to notify such conduct.



Please do not hesitate to contact Danielle Staltari on (02) 6243 1362 if you have any further queries regarding this matter.

Yours sincerely

Handwritten signature of Tim Grimwade, consisting of a stylized 'T' followed by a cursive 'G'.

Tim Grimwade  
A/g General Manager  
Adjudication Branch