



Australian Competition & Consumer Commission

Our Ref: C2002/1252
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27 August 2002

Kalina Symons
Marketing Co-ordinator
Val Morgan CineTicket
PO Box 1519
WANGARA WA 6947

Dear Mr Sellar

Re: Third line forcing exclusive dealing Notifications (N70335 to N70352) lodged by seventeen businesses.

I refer to the third line forcing exclusive dealing notifications lodged with the Australian Competition and Consumer Commission (the Commission) on 16 August 2002.

The above notifications were lodged by:

- Davali Home Improvements - offering a discount on building goods and services;
- Newcastle Superstrike Pty Ltd - offering a 'buy one game get one free' deal;
- Digicall Pty Ltd - offering a 'buy starter pack get the second half price' deal;
- Hogs Breath Café (Tuggerah) - offering a discount on food products;
- Hornsby World of Fitness - offering casual gym membership;
- Active Health Club Pty Ltd - offering casual gym membership;
- Donut King (Hornsby) - offering a discount on food products;
- Oporto Macquarie - offering a discount on food products;
- Delifrance - offering a discount on food products;
- Pugg Mahones Carlton Pty Ltd - offering a 'buy one drink get one free' deal;
- Morley Rollerdrome - offering a discount on rollerblade and skate session;
- Adventure World Pty Ltd - offering a discount on entrance fee;
- High Octane Race & Retail Centre Pty Ltd - offering a 'free test drive' deal;
- Dicey Reilly's Pty Ltd - offering a discount on food and drink products;
- Replay Family Entertainment Pty Ltd - offering two free video game tokens;
- CBD Cellar Bar - offering a discount on foods and drinks product; and
- Dockside Comedy Bar - offering a discount on entrance fee.



In each case a discount is offered on condition that consumers present a coupon, obtained upon purchasing a cinema ticket from the Greater Union Organisation Pty Ltd, which displays an advertisement from the relevant notifier. Legal immunity provided by the notifications commences on 30 August 2002.

On the basis of the information that you have provided it is not intended that further action be taken in this matter at this stage.

We would be grateful if you could advise those businesses listed in your letter, for whom notifications have been lodged, of this decision.

Please note that the Commission may act to remove the immunity afforded by the notifications at a later stage if it is satisfied that the likely benefit to the public from the conduct will not outweigh the likely detriment to the public from the conduct.

This letter has been placed upon the Commission's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Jaime Norton on (02) 6243 1208.

Yours sincerely



Tim Grimwade
General Manager
Adjudication Branch