



Australian Competition & Consumer Commission

Our Ref: C2002/1539
Contact Officer: Jaime Norton
Contact Number: (02) 6243 1208

PO Box 1199
Dickson ACT 2602
470 Northbourne Ave
Dickson ACT 2602
Australia

Ph (02) 6243 1111
Fax (02) 6243 1199

27 November 2002

Ms Lindsay Kyle
Baker & McKenzie
Solicitors & Attorneys
AMP Centre
50 Bridge Street
SYDNEY NSW 1223

Dear Ms Kyle

Re: Third line forcing exclusive dealing Notification lodged by Harley-Davidson Motor Company Inc (N31199).

I refer to the above third line forcing exclusive dealing notification lodged with the Australian Competition and Consumer Commission (the Commission) on 18 October 2002.

You have described the conduct as a requirement for rental operators of Harley-Davidson products in Australia to purchase all models of Harley-Davidson motorcycles, associated parts, accessories and apparel from Morgan and Wacker Pty Limited or from approved authorised dealers. Legal immunity provided by the notification commenced on 1 November 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.

Please note that the Commission may act to remove the immunity afforded by the notification 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

Handwritten signature of Tim Grimwade, consisting of a stylized 'T' and 'G'.

Tim Grimwade
General Manager
Adjudication Branch