



Australian Competition & Consumer Commission

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Our Ref: C2002/1693
Contact Officer: Susan Sullivan
Contact Number: (02) 6243 1354

10 December 2002

Mr Jamie Nettleton
Coudert Brothers
Level 8, Gateway
1 Macquarie Place
Sydney NSW 2000

Dear Mr Nettleton

Notification of Third Line Forcing – McWilliams Wines Pty Limited (N91055)

I refer to the above third line forcing notification lodged by McWilliams Wines Pty Limited on 19 November 2002 with the Australian Competition and Consumer Commission (the Commission). This notification has been placed on the Commission's public register.

The notifications detail a proposed arrangement whereby Liquorland (Australia) Pty Ltd and Liquorland (Qld) Pty Ltd will offer a gift and/or discount to consumers in relation to Holsten beer on the condition that the consumer purchase the January 2003 edition of FHM magazine. McWilliams Wines is the sole agent/distributor for Holsten beer and as such may be knowingly concerned in the conduct that may potentially breach the *Trade Practices Act 1974*.

Immunity from the *Trade Practices Act* came into effect on 3 December 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 this 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.



If you wish to discuss any aspect of this matter, please do not hesitate to contact Susan Sullivan on (02) 6243 1354.

Yours sincerely

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

Tim Grimwade
General Manager
Adjudication Branch