



**Australian Competition & Consumer Commission**

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Our Ref: C2003/272  
Contact Officer: Jaime Norton  
Contact Number: (02) 6243 1208

5 March 2003

Mr C Stringer  
Australia & NZ Banking Group  
Level 10, 75 Dorcas Street  
SOUTH MELBOURNE VIC 3205

Dear Mr Stringer

**Re: Third line forcing exclusive dealing Notification lodged by ANZ Rewards No 2 Pty Ltd (N40552).**

I refer to the above third line forcing exclusive dealing notification lodged with the Australian Competition and Consumer Commission (the Commission) on 21 February 2003.

You have described the conduct as involving ANZ Rewards No 2 Pty Ltd offering to provide one or more 'bonus' Loyalty points to members of the "Sphere" Loyalty Program who make ANZ First or ANZ Gold Visa Credit card purchases at the following selected merchants:

- AAPC Properties Pty Ltd;
- Aroma Science Pty Ltd;
- Surf Dive 'N Ski Surf Shops Pty Ltd;
- ING Australia Ltd;
- Copperart Pty Ltd;
- HMV Australia Pty Ltd;
- Paddy Pallin Pty Ltd;
- Roses Only and Lush Flowers Australia Pty Ltd;
- Wishlist Holdings Pty Ltd;
- Prouds Jewellers Ltd;
- House of Golf Pty Ltd;
- Byron Golf Corporation Pty Ltd;
- Tyre Marketers Australia Pty Ltd;
- GAZ MAN Pty Ltd;



- Harvey World Travel Ltd;
- Retravision Pty Ltd;
- Thrifty (Australia) Pty Ltd;
- Village Cinemas Australia Pty Ltd; and
- Brown Sugar Australia Pty Ltd.

Legal immunity provided by the notification will commence on 7 March 2003.

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



Paul Palisi  
A/g General Manager  
Adjudication Branch