



Australian Competition & Consumer Commission

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Our Ref: C2004/59
Contact Officer: Susan Sullivan
Contact Number: 02 6243 1354

19 May 2004

Mr Phil Turner
Manager
Community Care Underwriting Agency
Level 7,
82 Pitt Street
SYDNEY NSW 2000

Dear Mr Turner

Re: Third line forcing notification N31269 lodged by Arthur J Gallagher Australasia Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the Commission) on 18 December 2003.

You have described the conduct as the offering of risk management software programs at a discounted price to not for profit organisations on the condition that the organisation has obtained public liability insurance from Community Care Underwriting Agency. Legal immunity provided by the notification commenced on 1 January 2004.

I note that the Commission's response to this matter was deferred until after the completion of its consideration of the related authorisation applications lodged by Allianz Australia, QBE Insurance and NRMA Insurance (A30217 and A30218). Conditional authorisation was granted to these arrangements on 24 March 2004 and took effect on 14 April 2004.

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.

As with any notification, 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.

This letter has been placed on the Commission's public register. 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