



**Australian
Competition &
Consumer
Commission**

Our Ref: C2004/1154
Contact Officer: Amanda Dadd
Contact Number: 6243 1391

PO Box 1199
Dickson ACT 2602
470 Northbourne Ave
Dickson ACT 2602
ph (02) 6243 1111
fax (02) 6243 1199
www.accc.gov.au

02 September 2004

Ms Josephine Johnston
Senior Legal Counsel
FOXTEL Management Pty Limited
Wharf 8
PYRMONT NSW 2009

Dear Ms Johnston

**Third line forcing notification lodged by
FOXTEL Management Pty Limited (N91444)**

I refer to the above third line forcing notification lodged by FOXTEL Management Pty Limited (FOXTEL) with the Australian Competition and Consumer Commission (the ACCC) on 16 August 2004.

This notification details a promotion running between 3 September 2004 and 31 December 2004, or before if stocks run out, whereby new FOXTEL subscribers are offered a free Starter Kit (which includes standard FOXTEL installation plus the first month subscription to FOXTEL Digital's Platinum Channel Package on the basis of a 24 month residential contract with Direct Debit) on condition they purchase a personal computer from Harvey Norman. Legal immunity provided by the notification commenced on 30 August 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 Amanda Dadd on 6243 1391.

Yours sincerely

A handwritten signature in black ink, appearing to read 'T. Grimwade'.

Tim Grimwade
General Manager
Adjudication Branch