



**Australian
Competition &
Consumer
Commission**

Our Ref: C2004/1458
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

25 October 2004

Ms Rebecca Irish
Lawyer
Kmart Australia Ltd
PO Box 350
GLEN IRIS VIC 3146

Dear Ms Irish

**Re: Third line forcing notification lodged by
Kmart Australia Limited (N91468)**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 27 September 2004.

You have described the conduct in respect of this notification as the offer of a 15% discount on goods to customers upon presentation of a ticket stub purchased for the Santa's Kingdom event to be held at the Melbourne Exhibition Centre between 25 November and 24 December. Legal immunity provided by the notification commenced on 27 September 2004.

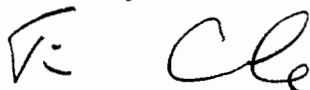
On the basis of the information that you have provided, it is not intended that further action be taken in this matter at this stage.

As with any notification, please note that the ACCC 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 ACCC'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 'Tim Grimwade', consisting of a stylized first name and a more formal last name.

Tim Grimwade
General Manager
Adjudication Branch