



**Australian
Competition &
Consumer
Commission**

Our Ref: N31404
Contact Officer: Gavin Jones
Contact Number: (03) 9290 1959

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15 July 2005

Ms Catherine Dickson
Legal Counsel
Dell Australia
Unit 3, 14 Aquatic Drive
FRENCHS FORREST NSW 2086

Dear Ms Dickson

**Exclusive dealing notification lodged by
Dell Australia Pty Limited (N31404)**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 29 June 2005. The notification has been placed on the ACCC's public register.

Dell has described the conduct as follows:

Dell proposes to enter into arrangements with CIT Group (Australia) Limited (CIT) pursuant to which Dell proposes to:

- (a) supply or offer to supply to persons a Dell product together with a free or discounted bonus item or service on condition that the person finances or leases the Dell product through CIT;
- (b) refuse to supply or refuse to offer to supply to persons a Dell product together with a free or discounted bonus item or service for reason that the person has not financed or leased the Dell product through CIT;
- (c) give or allow, or offer to give or allow, persons a discount, allowance, rebate or credit in relation to the supply of a Dell product on condition that the person finances or leases the Dell product through CIT;
- (d) refuse to give or allow, or offer to give or allow a discount, allowance, rebate or credit in relation to the supply of a Dell Product to a person



for the reason that the person has not financed or leased the Dell product through CIT;

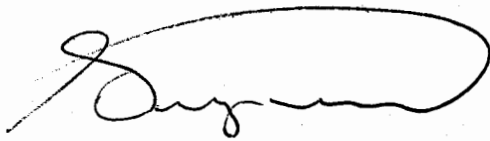
Legal immunity conferred by the notification commenced on 13 July 2005.

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

Please note that the ACCC 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 on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Gavin Jones on (03) 9290 1959.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Gregson', with a large, sweeping loop at the end.

Scott Gregson
A/g General Manager
Adjudication Branch