



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2005/1368
Your Ref: PJA.AJT.02-1383-8501
Contact Officer: Gavin Jones
Contact Phone: 03 9290 1959

16 September 2005

Mr Peter Armitage
Partner, Blake Dawson Waldron
Locked Bag N6
Sydney NSW 1225

By email: peter.armitage@bdw.com

Dear Mr Armitage

Re: Third line forcing notifications N31439 and N31440 lodged by Visa International Service Association (VISA) and Ticketek Pty Ltd (Ticketek).

I refer to your fax dated 12 September 2005, in relation to the above notifications.

As noted in previous letters, the Australian Competition and Consumer Commission (the ACCC) remains concerned that one of the public benefits claimed in relation to those notifications, that VISA Cardholders will be provided with benefits associated with ticketing to entertainment events and performances, may be directly linked with a potential detriment from the conduct, being that non-VISA Cardholders will no longer have full access to the ticketing for the relevant events. Whilst this restriction on the access of non-VISA Cardholders to tickets is unlikely to be of concern in most instances given the limitations described in the notice, I again note that the ACCC would be concerned if the arrangements limited non-VISA Cardholders' access to tickets for popular or limited run events, where demand for tickets would be likely to outstrip supply.

At the same time, I accept the difficulties of requiring separate notification prior to each promotion.

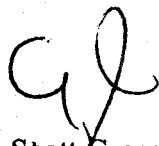
In order to address these concerns VISA and Ticketek could agree to provide the ACCC with details of each event to which the notified arrangements will apply, including the percentage of total tickets and the percentage of tickets offered for sale by Ticketek to which the offer applies. For example, such information could be provided at least 14 days in advance of each promotion occurring.

I would appreciate your response by **30 September 2005**.



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



f. Scott Gregson
A/g General Manager
Adjudication Branch

Copy to: Gina Cass-Gottlieb, Gilbert and Tobin