



Australian
Competition &
Consumer
Commission

Our Ref: N92150
Contact Officer: Ursula Everett
Contact Number: 02 6243 1271

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

18 October 2005

Mr Michael Francis Paul Daniel
PricewaterhouseCoopers Legal
Darling Park Tower 2
201 Sussex Street
SYDNEY NSW 2000

Dear Mr Daniel

Third line forcing notification No. N92150 lodged by Eyecare Plus Limited

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 4 October 2005.

The notified conduct is described as:

- *EPL offering to provide, or providing, a discount, allowance, rebate or credit in relation to the supply of its Services on the condition that a member of EPL acquire optical supplies from nominated suppliers; and*
- *EPL refusing to offer to provide, or refusing to provide, a discount, allowance, rebate or credit in relation to the supply of its Services, for the reason that a member of EPL has not acquired optical supplies from nominated suppliers.*

Immunity for the notified conduct commences on 18 October 2005.

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 revoke 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.

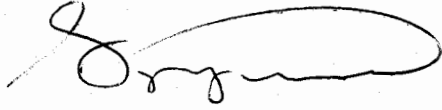
I note that you claimed confidentiality for annexures A and B in your submission relating to the relevant notification. As a person authorised to exclude documents from the public register for and on behalf of the ACCC, I advise that confidentiality has been



granted as requested. Annexures A and B will not be placed on the ACCC's public register.

However, this letter has been placed on the ACCC's public register. If you wish to discuss this matter further please contact Ursula Everett on 02 6243 1271.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Gregson', written in a cursive style.

Scott Gregson
General Manager
Adjudication Branch