



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: C2005/1680  
Contact Officer: Shashi Sivayoganathan  
Contact Phone: 03 9290 1832

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

10 November 2005

Ms Christine Harman  
General Counsel  
Melbourne 2006 Commonwealth Games Corporation  
Locked Bag 2006  
South Melbourne VIC 3205

Dear Ms Harman

**Re: Third line forcing notifications N92145 & N92149  
lodged by Melbourne 2006 Commonwealth Games Corporation ("M2006")**

I refer to the above third line forcing notifications lodged by M2006 with the Australian Competition and Consumer Commission ("the ACCC") on 4 October 2005. The notifications have been placed on the ACCC's public register. I note that you have requested confidentiality for the information contained in Attachment A as submitted with the notifications. As a person authorised to exclude documents from the public register for and on behalf of the ACCC, I advise that your request for confidentiality has been granted.

M2006 proposes that:

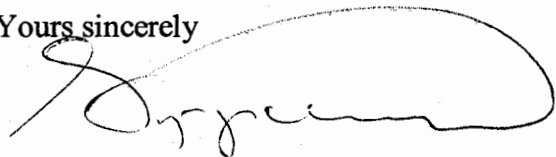
- (i) The Concessionaire Agreements between M2006 and each Concessionaire will include a provision that each Concessionaire must sell only Official Merchandise, which is manufactured by Official Licensees, at the Games Venues and at other locations where M2006 authorises outlets to be set up by Concessionaires;
- (ii) The Sponsorship Agreements between M2006 and Sponsors will include a provision that Sponsors may purchase Official Merchandise from Official Licensees or, if they choose to have co-branded merchandise manufactured by a third party supplier, must pay M2006 a higher percentage royalty than if they had obtained the merchandise from an Official Licensee.

Legal immunity conferred by the notifications commenced 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 remove the immunity afforded by these notifications 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 Shashi Sivayoganathan on 03 9290 1832.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Gregson', with a large, sweeping flourish above the name.

Scott Gregson  
General Manager  
Adjudication Branch