



**Australian
Competition &
Consumer
Commission**

Our Ref: C2006/350
Contact Officer: Bronwyn Davis
Contact Phone: 02 6243 1363

PO Box 1199
Dickson ACT 2602

470 Northbourne Ave
Dickson ACT 2602

ph (02) 6243 1111
fax (02) 6243 1199

www.accc.gov.au

23 February 2006

Ms Barbara Deed
Owner
Heart Shop Pty Ltd
309 Pulteney Street
ADELAIDE SA 5000

Dear Ms Deed

Notification of Third Line Forcing (N92365) lodged by Heart Shop Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 13 February 2006. The notification has been placed on the ACCC's public register.

Heart Shop Pty Ltd (Heart Shop) has described the conduct as the offering to members of BUPA Australia Health Pty Ltd discounts off various products and services from time to time. Specifically, members in Victoria, New South Wales, Queensland, South Australia, Tasmania, Western Australia and the NT will receive a 10 per cent discount off any Heart Shop product.

Legal immunity conferred by the notification will commence on 27 February 2006. On the basis of information 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 Bronwyn Davis on (02) 6243 1363.

Yours sincerely

Scott Gregson
General Manager
Adjudication Branch

CC: Emma Zipper, BUPA Australia

