



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: N70441  
Contact Officer: Hew Atkin  
Contact Number: (02) 6243 1235

23 February 2006

Mr Peter Hede  
FAL Quickstop  
218 Bannister Rd  
Canningvale QLD 6155

Dear Mr Hede

**Re: Third line forcing notification No. N70441 lodged with respect to Marinos & Son Pty Ltd**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 16 February 2006. The notification has been placed on the ACCC's public register.

You have described the conduct as follows:

*The giving or allowing, or offering to give or allow, a discount, allowance, rebate or credit in relation to the supply or proposed supply of retail petroleum products by the applicant to consumers purchasing petroleum products at the BP service stations operated by the applicant in the Brisbane area on the condition that the consumers have acquired goods of a specified value from the Action supermarket in Queensland (**The Promotion**).*

Legal immunity conferred by the notification will commence on 2 March 2006.

In 2004, the ACCC concluded a comprehensive consultation process in relation to a number of similar notifications relating to the petrol and grocery sectors. The ACCC concluded that these arrangements were likely to be in the public interest. The ACCC has considered the above notification in light of submissions previously put to it by interested parties in relation to similar notifications and its own investigations. In light of previous consideration and the information you have provided, the ACCC does not intend to take any further action at this stage.



Please note, as with any notification, the ACCC may act to remove the immunity afforded by this notification at a later stage if it becomes satisfied that the likely benefit to the public from the conduct will not outweigh the likely detriment to the public from the conduct.

I also note that in promoting the offer consumers should be made aware of any exclusions or conditions that may apply.

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 Hew Atkin on (02) 6243 1235.

Yours sincerely

A handwritten signature in black ink, consisting of a large, sweeping loop followed by a horizontal line and a small flourish at the end.

Scott Gregson  
General Manager  
Adjudication Branch