



**Australian
Competition &
Consumer
Commission**

Our Ref: N41028
Contact Officer: Nadia Cooke
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31 October 2006

Wai Wong
Compliance Manager
Level 7, Lonsdale Street
Melbourne VIC 3000

Dear Mr Wong

Re: Third line forcing notification N41028 lodged by Myer Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (ACCC) on 25 October 2006. The notification has been placed on the ACCC's public register and website.

Myer has described the conduct the subject of the notification as follows:

- A. Myer will offer to:
- (i) supply goods ... at a particular price; or
 - (ii) supply goods ... free with the purchase of other specified goods;
 - (iii) supply a gift card or gift voucher or discount voucher of specified value free of charge with the purchase of specified goods; or
 - (iv) supply other benefits or privileges ... with the purchase of specified goods
- on condition that
- (i) the purchaser of the goods is currently a Myer Card credit account-holder; or
 - (ii) the purchaser of the goods becomes a Myer Card credit account-holder prior to the purchase of the goods;



and will purchase the goods (whether of a specified nature or to a specified value in a specified period or other wise as notified) using a Myer Card supplied by GE Capital Finance Australia.

B. Myer will offer to:

- (i) supply a gift card, gift voucher or discount voucher of a specified value free of charge; or
- (ii) supply other benefits or privileges ...

on condition that the recipient ... is currently [a] Myer Card credit account-holder and will purchase goods (whether of a specified nature or to a specified value in a specific time period or otherwise as notified) using a Myer Card supplied by GE Capital Finance Australia.

C. Myer will offer to:

- (i) supply a gift card, gift voucher or discount voucher of a specified value free of charge; or
- (ii) supply other benefits or privileges ... including the supply of Myer one points

on condition that the recipient ... will acquire a Myer Card supplied by GE Capital Finance Australia.

Legal immunity conferred by the notification commences on 8 November 2006.

On the basis of the information provided, it is not intended that further action be taken in this matter at this stage.

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 and website. If you wish to discuss any aspect of this matter, please contact Nadia Cooke on (03) 9290 1478 or at nadia.cooke@accc.gov.au.

Yours sincerely



Scott Gregson
General Manager
Adjudication Branch