



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2007/2045
Contact Officer: Gina D'Ettorre
Contact Number: 03 9290 1483

16 November 2007

Mr Simon Snow
Partner
Gilbert + Tobin
GPO Box 3810
SYDNEY NSW 2001

Dear Mr Snow

**Third line forcing notification N93196 lodged by
Vodafone Pty Limited (Vodafone)**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 30 October 2007. The notification has been placed on the ACCC's public register.

Vodafone proposes to offer certain customers a discount off the price of nominated Vodafone services, including mobile telecommunications goods and services, on condition that the customer acquires, or has acquired, membership of an organisation (the Membership) which provides members with access to a benefits program administered by MEMBER Benefits Pty Ltd (Australia) (Member Benefits).

Vodafone advises that Member Benefits facilitates, administers and manages member benefits programs for the members of a range of different organisations, including but not limited to: the Australian Association of Massage Therapists; Manpower; and the Mortgage and Finance Association of Australia.

Legal immunity conferred by the notification commenced on 13 November 2007.

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 the 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 Gina D'Ettorre on 03 9290 1483 or by email at gina.dettorre@acc.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to be 'S. Gregson', written over a light grey rectangular background.

Scott Gregson
General Manager
Adjudication Branch