



**Australian
Competition &
Consumer
Commission**

Our Ref: C2007/2084
Contact Officer: Hew Atkin
Contact Number: 02 6243 1363

GPO Box 3131
Canberra ACT 2601
23 Marcus Clarke Street
Canberra ACT 2601
tel: (02) 6243 1111
fax: (02) 6243 1199
www.accc.gov.au

16 November 2007
19

Ms Kirsten Webb
Clayton Utz Lawyers
PO Box H3
Australia Square
Sydney NSW 1215
DX 370 Sydney

Dear Ms Webb

Third line forcing notifications – Dick Smith Electronics Pty Ltd (N93203), Redsky Investments Pty Ltd (N93207) and A&G Dorrington Pty Ltd (N93208)

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (ACCC) on 2 November 2007. The notifications have been placed on the ACCC's public register.

You have described the conduct as follows:

The Stores propose to offer customers a 'cash back' payment via redemption of valid receipts and information, on the condition that the customer has purchased:

- *a nominated consumer electronic good (that is, a laptop or desktop personal computer from the Stores and*
- *a wireless data service product which allows a laptop or desktop personal computers to wirelessly connect to the internet*

in conjunction with the customer acquiring a nominated wireless data service contract from Telstra Corporation Limited.

Legal immunity conferred by these notifications commences on 16 November 2007.

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 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.

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

A copy of 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 1363.

Yours sincerely

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

Scott Gregson
General Manager
Adjudication Branch