



**Australian
Competition &
Consumer
Commission**

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Our Ref: 34518
Contact Officer: Simon Mitchell
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/4 October 2008

John Galletta
Attorney, General Counsel's Office
American Express Australia Ltd
Level 1, 12 Shelley St
Sydney NSW 2000

Dear Mr Galletta

**Exclusive dealing notification N93611 lodged by
American Express Australia Ltd**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 2 October 2008. The notification has been placed on the ACCC's public register.

American Express proposes to offer customers bonus rewards points on their credit cards on condition that:

- the customer purchases goods and services from BP Service Stations
- the combined purchase price is more than \$50 and
- the customer purchases the goods and services using their American Express credit card.

The amount of bonus awards points earned will either be:

- 1000 bonus awards points for the first purchase and 5 bonus awards for every \$1 spent in subsequent purchases or
- 5 bonus awards points for every \$1 spent in a purchase.

Legal immunity conferred by the notification will come into force on 16 October 2008.

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.

This assessment has been made on the basis that American Express discloses all terms and conditions to prospective customers.

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.

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 contact Simon Mitchell on 03 9290 6909.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R. Chadwick', with a long horizontal flourish extending to the right.

Dr Richard Chadwick
General Manager
Adjudication Branch