



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: C2008/1716  
Contact Officer: Susan Philp  
Contact Number: 02 6243 1347

10 November 2008

Mr Bernard Evans  
Partner  
Middletons  
Level 26, 52 Martin Place  
Sydney NSW 2000

Dear Mr Evans

**Third line forcing notification N93627 lodged by  
Vodafone Pty Ltd**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 21 October 2008. The notification has been placed on the ACCC's public register.

Vodafone will offer discounted Vodafone telecommunications goods and/or services (or other promotional benefits agreed upon from time to time) to existing or potential members of the Organisations that provide or will provide the benefits program administered by AMS Rewards Pty Ltd in exchange for AMS providing Vodafone marketing support, including promoting Vodafone on its website.

The Organisations include but are not limited to: Royal Automobile Club of Victoria; Royal Automobile Club of Queensland; Royal Automobile Association of South Australia; National Roads and Motorists Association Limited; Royal Automobile Club of WA; The Automobile Association of Northern Territory; and any other motoring club participating in an affiliated program.

Legal immunity conferred by the notification commenced on 4 November 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.

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.

This assessment has been made on the basis that Vodafone and any other relevant party will disclose all relevant terms and conditions to prospective clients.

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 Susan Philp on (02) 6243 1347.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized 'R' followed by a long horizontal line extending to the right.

Dr Richard Chadwick  
General Manager  
Adjudication Branch