

Tan, Jasmine

From: Davey, Jeremy [Jeremy.Davey@malleasons.com]
Sent: Friday, 14 November 2008 5:31 PM
To: Tan, Jasmine
Cc: Bodger, Amanda
Subject: Telstra Licensed Shops exclusive dealing notifications.

Malleasons Stephen Jaques
www.malleasons.com

Hi Jasmine,

I refer to the recent notifications lodged by Telstra on behalf of various Telstra Licensed Shops (**TLS notification**).

You asked for more detail as to what kinds of Telstra telecommunications services or products, or telecommunications services plans, a TLS might require customers to acquire in order to obtain free or discounted TLS Products or Promotional Products.

Telecommunications services

The "telecommunications services" referred to in the TLS notifications include:

- Post-paid mobile services
- Pre-paid mobile services
- Fixed line services
- Internet services

Telecommunications products

The "telecommunications products" referred to in the TLS notifications include:

- Mobile handsets (often provided by Telstra as part of a post-paid mobile plan)
- Prepaid wireless broadband starter kits
- Prepaid handset packs

The TLS may encourage customers to acquire these services or products from Telstra (which may or may not involve signing up to a fixed-term plan), by offering TLS Products or Promotional Products.

Examples

Promotional Products

Telstra understands that much of the notified conduct engaged in by TLSs involves Promotional Products. Promotional Products are not usually telecommunications related and are not typically sold by the TLS as standalone items, but rather used to encourage customers to sign up to Telstra services, for example:

- Offering a voucher (typically a small amount, like \$10 or \$20) to spend in the TLS, when a customer signs up to a mobile phone plan with Telstra
- Offering a gift such as a movie ticket or voucher to a local shop when a customer signs up to a certain Telstra service or combination of services

TLS Products

TLS Products are goods or services related to telecommunications. A TLS may offer TLS products to customers to encourage them to take up a particular Telstra service. If a TLS decides to offer a TLS Product in this way, it is most likely to be the kind of product which adds to the value of the Telstra service being acquired by the customer, for example:

- Offering an accessory to accompany a mobile phone (such as a handsfree kit) when the phone is acquired on a Telstra mobile plan
- Offering a free cordless phone to customers when they sign to a fixed line plan with Telstra

We hope this information is useful. Please feel free to contact me on the number below, or Amanda Bodger on (03) 9643 4069, if you require any additional information to assist you with your assessment.

Kind regards

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