



**Australian
Competition &
Consumer
Commission**

Our Ref: C2007/2329
Contact Officer: Gavin Jones
Contact Number: (03) 9290 1475

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4 January 2008

Michael Grey
Partner
Freehills
GPO Box 4227
SYDNEY NSW 2001

Dear Mr Grey

Third line forcing notification N93247 – Metcash Trading Limited

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (ACCC) on 18 December 2007.

You have described the notified conduct as Metcash, through its wholly owned subsidiary companies, IGA Distribution, proposing to supply, or offer to supply, to owners of eligible IGA branded stores (Retailers):

- introduction and referral to ANZ
- assistance in the completion and lodgement of an application for a credit finance facility offered to Retailers by ANZ
- a rebate on the interest component of the amount payable by the Retailer to ANZ under a credit finance facility in the amounts of:
 - 100 percent of the interest payable in the first year
 - 80 percent of the interest payable in the second year, and
 - 60 percent of the interest payable in the third year

on condition that the retailer acquires a specific credit finance facility from ANZ.

Legal immunity conferred by the notification commenced on 1 January 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.

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 Gavin Jones on 03 9290 1475.

Yours sincerely

A handwritten signature in black ink, consisting of a stylized 'S' followed by a long horizontal stroke that loops back to the right.

Scott Gregson
General Manager
Adjudication Branch