



**Australian
Competition &
Consumer
Commission**

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Our Ref: N93425
Contact Officer: Susan Philp
Contact Number: 02 6243 1347

13 June 2008

Mr Anthony Poole
Senior Legal Counsel
FOXTEL Management Pty Limited
5 Thomas Holt Drive
North Ryde NSW 2113

Dear Mr Poole

**Exclusive dealing notification N93425 lodged by
Foxtel Management Pty Limited (Foxtel)**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 4 June 2008. The notification has been placed on the ACCC's public register.

Foxtel has described the notified conduct as follows:

FOXTEL intends to commence a promotion with SAMSUNG on 1 July 2008 (ceasing on 31 August 2008), available at major retailers of electronic goods including Harvey Norman stores throughout Australia, which will be available to customers who purchase a 45 inch or greater SAMSUNG Full HD LCD or plasma TV. It is proposed that customers who purchase a SAMSUNG TV will be eligible to receive a discounted FOXTEL HD and service subscription.

Legal immunity conferred by the notification will come into force on 18 June 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 Foxtel will disclose 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 do not hesitate to contact Susan Philp on 02 6243 1347.

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