



**Australian  
Competition &  
Consumer  
Commission**

Our Reference: 34183  
Contact Officer: Kristy Randall  
Contact Number: (02) 6243 1061

GPO Box 3131  
Canberra ACT 2601  
23 Marcus Clarke Street  
Canberra ACT 2601  
tel: (02) 6243 1111  
fax: (02) 6243 1199  
[www.accc.gov.au](http://www.accc.gov.au)

16 September 2008

Mr Peter Weston  
Group General Counsel  
Shell Australia  
8 Redfern Road  
Hawthorn East VIC 3123

Dear Mr Weston

**Re: Third line forcing notification No. N93575 lodged by The Shell Company of Australia Limited**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 12 September 2008. This notification has been placed on the ACCC's public register.

You have described the conduct in the Form G as follows:

*The giving of a discount on automotive fuel and automotive LPG purchased from Shell via Shell Card to business entities who are members of The Master Builders Association of Victoria (MBAV), and the possible refusal to give such a discount to persons who are not members of MBAV.*

Legal immunity conferred by the notification will commence on 26 September 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.

I note that in promoting the offer, prospective participants should be made aware of any exclusions or conditions that may apply.

As with any notification, please note that the ACCC may act to remove the immunity afforded by this notification at a later stage if it becomes 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 Kristy Randall on (02) 6243 1061.

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