



**Australian
Competition &
Consumer
Commission**

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

Our Ref: 34248
Contact Officer: Simon Mitchell
Contact Number: 03 9290 6909

25 September 2008

Nick Morello
Marketing Executive
British Airways
Level 7, 141 Walker St
North Sydney
NSW 2060

Dear Mr Morello

Exclusive dealing notification N93586 lodged by British Airways

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 16 September 2008. The notification has been placed on the ACCC's public register.

British Airways proposes to run a promotional campaign from 15 October 2008 to 15 November 2008, offering reduced airfares to consumers for travel originating in Australia from 1 December 2008 to 31 January 2009 on condition that:

- the consumer books the flight through the British Airways website (ba.com/mastercard) and
- the consumer books the flight using a MasterCard credit card.

Legal immunity conferred by the notification will come into force on 30 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.

This assessment has been made on the basis that the British Airways discloses 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 contact Simon Mitchell on 03 9290 6909.

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