



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: C2009/1549  
Contact Officer: Clare McGinness  
Contact Number: (02) 6243 1049

21 September 2009

Mr Samuel Richardson  
Solicitor  
DonaldsonWalsh Lawyers  
GPO Box 2873  
Adelaide SA 5001

Dear Mr Richardson

**Third line forcing notification N94107 lodged by Kirra Tours (Aust/NZ) Pty Ltd**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 28 August 2009. The notification has been placed on the ACCC's public register.

Kirra Tours (Aust/NZ) Pty Ltd (Kirra Tours) proposes to offer free breakfast and dinner packages on the condition that customers book their New Zealand coach tour through one of a number of specified travel agents.

Legal immunity conferred by the notification commenced on 11 September 2009.

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.

This assessment has been made on the basis that Kirra Tours and the specified travel agents will disclose all relevant terms and conditions to prospective clients.

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 Clare McGinness on (02) 6243 1049.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Richard Chadwick', written on a light grey rectangular background.

Dr Richard Chadwick  
General Manager  
Adjudication Branch