



**Australian
Competition &
Consumer
Commission**

Our Ref: N93758 - N93765
Contact Officer: Jasmine Tan
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February 2009

Mr Paul Gould
General Manager
Australian Motoring Services – Rewards Pty Ltd
Level 3/131 Queen Street
MELBOURNE VIC 3000

Dear Mr Gould

Third line forcing notifications N93758 - N93765 lodged by Dell Australia Pty Ltd, Fountain Cosmetics Pty Ltd, Hertz Australia Pty Ltd, Luxottica Retail Australia Pty Ltd, Minit Australia Pty Ltd, Nedai Pty Ltd, Pedders Shock Absorber Service Pty Ltd and Tourism Holdings Australia Pty Ltd (the Applicants)

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 30 January 2009 by Australian Motoring Services – Rewards Pty Ltd (AMS Rewards) on behalf of the Applicants. The notifications have been placed on the ACCC's public register.

The notified conduct is described in the following terms:

Dell Australia Pty Ltd will sell computer equipment and peripherals to the members of all Australia's motoring clubs ie the AANT, NRMA, RACQ, RAA, RACT, RACV, RAC at a discounted rate of up to 10% off its normal selling prices as a proviso of its participation in the Clubs, Show Your Card and Save Loyalty Program

- Fountain Cosmetics Pty Ltd will sell brand name cosmetics to members of all of Australia's motoring clubs ie the AANT, NRMA, RACQ, RAA, RACT, RACV, RAC at 10% off its normal selling prices as a proviso of its participation in the Clubs, Show Your Card and Save Loyalty Program
- Hertz Australia Pty Ltd will offer the rental of motor vehicles to the members of the following Australian motoring clubs the AANT, RACQ, RAA, RACT, RACV, RAC at a discounted rate of 4% off its 'best rate of the day' and other specific discounts as a proviso of its participation in the Clubs, Show Your Card and Save Loyalty Program

Luxottica Retail Australia Pty Ltd, trading as OPSM, will sell prescription and non-prescription eyewear to the members of Australia's motoring clubs ie the AANT, NRMA, RACQ, RAA, RACT, RACV, RAC at 20% off its normal

selling prices (up to a maximum of \$80) as a proviso of its participation in the Clubs, Show Your Card and Save Loyalty Program

- Minit Australia Pty Ltd, trading as MrMinit, will provide its retail services to the members of the following motoring clubs the AANT, RACQ, RAA, RACT, RACV, RAC at 15% off its normal selling prices as a proviso of its participation in the Clubs, Show Your Card and Save Loyalty Program

Nedai Pty Ltd, trading as Drummond Golf, will sell golfing equipment and accessories to the members of all Australia's motoring clubs ie the AANT, NRMA, RACQ, RAA, RACT, RACV, RAC at a discounted rate from 5% up to 10% off its normal selling prices as a proviso of its participation in the Clubs, Show Your Card and Save Loyalty Program

- Pedders Shock Absorber Service Pty Ltd will sell its own branded shock absorbers to the members of the following motoring clubs the AANT, NRMA, RAA, RACT, RACV, RAC at 10% off its normal selling prices as a proviso of its participation in the Clubs, Show Your Card and Save Loyalty Program
- Tourism Holdings Australia, trading as Britz and Maui, will rent motor home and camper vans to the members of Australia's motoring clubs ie the AANT, NRMA, RACQ, RAA, RACT, RACV, RAC at a discounted rate of 10% off its Australian rates as a proviso of its participation in the Clubs, Show Your Card and Save Loyalty Program.

Legal immunity conferred by these notifications will commence on 13 February 2009.

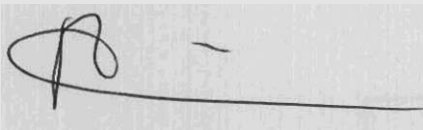
On the basis of the information that you have provided, it is not intended that further action be taken on these matters at this stage.

As with any notification, please note that the ACCC may act to remove the immunity afforded by the notifications at a later stage if it is satisfied that the likely benefits to the public from the conduct will not outweigh the likely detriments to the public from the conduct.

This assessment has been made on the basis that the Applicants, AMS Rewards and the relevant Australian motoring clubs 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 Jasmine Tan on (02) 6243 1363.

Yours sincerely



Dr Richard Chadwick
General Manager
Adjudication Branch