



**Australian
Competition &
Consumer
Commission**

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Our ref: TRACKIT 39156
Your ref: RJF/CD/BPAU7602-9065481
Contact Officer: Gavin Jones
Contact Phone: 03 9290 1475

12 October 2009

Richard Flitcroft
Partner
Corrs Chambers Westgarth
GPO Box 9925
SYDNEY NSW 2001

Dear Mr Flitcroft

Exclusive dealing notification lodged by BP Australia Pty Ltd – request for material to be excluded from the public register

I refer to the above listed notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 7 October 2009.

I have considered BP's request that extracts from an agreement between BP and American Express Australia Limited provided with the notification be excluded from the ACCC's public register.

As you are aware, the ACCC is generally required under section 95 of the *Trade Practices Act 1974* (the Act) to place documents provided to it in relation to a notification on the ACCC's public register. The Act provides that a person submitting a document in relation to a notification may request that the document or parts thereof be excluded from the public register by reason of the nature of certain information contained in the document.

As a person authorised to make a decision for and on behalf of the ACCC in relation to such a request, I advise that the extracts from the agreement between BP and American Express will not be placed on the public register.

This letter has been placed on the ACCC's public register.

Should you have any queries in relation to this matter, please do not hesitate to contact Gavin Jones on 03 9290 1475.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R Chadwick', with a large loop for the 'R' and a horizontal stroke extending to the right.

Dr Richard Chadwick
General Manager
Adjudication Branch