



**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](http://www.accc.gov.au)

Our Ref: C2009/1663  
Contact Officer: Simon Mitchell  
Contact Number: 03 9290 6909

20 October 2009

Jocelyn Saint-Fryar  
Subway Systems Australia Pty Ltd  
153 Campbell St  
Bowen Hills, QLD 4006

Dear Ms Saint-Fryar

**Third line forcing notification N94197 lodged by  
Subway Systems Australia Pty Ltd (SSA)**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 2 October 2009. The notification has been placed on the ACCC's public register.

SSA propose to provide services, concerning the supply of goods and services to Australian Subway franchises, to suppliers and distributors on condition that they:

- become members of International Compliance Information Exchange (ICIX) Pty Ltd and ICIX North America LLC (iCiX) and establish their own business site with iCiX.

Legal immunity conferred by this notification commenced on 16 October 2009.

On the basis of the information that you have provided, it is not intended that further action be taken on 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 SSA discloses all relevant terms and conditions to current and prospective suppliers.

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 Simon Mitchell on (03) 9290 6909.

Yours sincerely

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

Dr Richard Chadwick  
General Manager  
Adjudication Branch