



**Australian  
Competition &  
Consumer  
Commission**

Your Ref: RJF/CD/BPAU7602-9065481  
Our Ref: C2009/1705  
Contact Officer: Gavin Jones  
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4 November 2009

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

Dear Mr Flitcroft

**Third line forcing notification N94251 lodged by BP Australia Pty Ltd**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 7 October 2009. The notification has been placed on the ACCC's public register.

BP and American Express propose to provide a new, co-branded AMEX/BP corporate card and an existing AMEX/Qantas corporate card entitling cardholders to bi-annual rebates based on purchases at BP service establishments and enhanced data capturing and reporting on fuel and other spends at BP establishments.

Legal immunity conferred by the notification commenced on 21 October 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 BP and American Express will disclose all relevant terms and conditions to prospective customers.

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 Gavin Jones on (03) 9290 1475.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Richard Chadwick', with a long horizontal stroke extending to the right.

Dr Richard Chadwick  
General Manager  
Adjudication Branch