



**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: C2009/1816  
Contact Officer: Jasmine Tan  
Contact Number: (02) 6243 1363

9 November 2009

Mr Ayman Guirguis  
Partner  
Blake Dawson  
Level 35, 225 George Street  
SYDNEY NSW 2000

Dear Mr Guirguis

**Third line forcing notification N94280**

**lodged by Hilton Hotels of Australia Pty Limited**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 23 October 2009. The notification has been placed on the ACCC's public register.

Hilton Hotels of Australia Pty Limited (Hilton) and Macquarie Bank Limited (Macquarie) plan to launch a Hilton-Macquarie co-branded credit card (which will include a loyalty rewards program) in Australia in or around November 2009. The annual fee for the credit card will include membership to the Hilton Premium Club, which will provide discounts off accommodation and dining and other benefits from time to time at participating hotels in Australasia.

Hilton proposes to supply or offer to supply membership to its Hilton Premium Club on the condition that the individual acquires a co-branded credit card from Macquarie and activates this card.

Legal immunity conferred by the notification commenced on 6 November 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 Hilton and Macquarie 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

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

Dr Richard Chadwick  
General Manager  
Adjudication Branch