



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: C2009/1902 & C2009/1907  
Contact Officer: Simon Mitchell  
Contact Number: 03 9290 6909

25 November 2009

Anne-Marie Allgrove  
Partner  
Baker & McKenzie  
AMP Centre  
50 Bridge St  
Sydney NSW 2000

Dear Ms Allgrove

**Third line forcing notifications N94325 & N94327-8 lodged by  
MasterCard Asia/Pacific (Australia) Pty Ltd**

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 17 and 18 November 2009. The notifications have been placed on the ACCC's public register.

Under notification N94325 MasterCard proposes to offer 'applause' vouchers (to be used on the MasterCard 'applause' website) to consumers on condition that they acquire a MasterCard debit card from the Bank of Western Australia.

Under notifications N94327-8 MasterCard proposes to offer consumers the following prizes as part of two trade promotions:

- flights, concert tickets, accommodation and spending money ('Bands' promotion)
- concert tickets (Future Music Festival promotion)

on condition that they acquire a MasterCard debit card from a third party financial institution in Australia that offers MasterCard debit cards.

Legal immunity conferred by these notifications commences on 1 December 2009 (N94325) and 2 December 2009 (N94327-8).

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 these notifications 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 MasterCard discloses 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 contact Simon Mitchell on (03) 9290 6909 or at [simon.mitchell@acc.gov.au](mailto:simon.mitchell@acc.gov.au).

Yours sincerely

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

Dr Richard Chadwick  
General Manager  
Adjudication Branch