



**Australian
Competition &
Consumer
Commission**

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Contact Officer: Erin Donohue
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19 August 2009

Mr James Barker
Solicitor
Anisimoff Legal
PO Box 358
St Leonards NSW 1590

Dear Mr Barker

Third line forcing notification N94055 lodged by Hastings Co-operative Limited

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 31 July 2009. The notification has been placed on the ACCC's public register.

Hastings Co-operative Limited (Hastings) intends to offer a discount and enable the customer to enter a competition on the condition that the consumer purchases goods from its store as well as goods and/or services from another Participating Outlet.

Hastings wishes to invite selected businesses in the Wauchope area in New South Wales to participate in a promotional activity. The businesses that agree to participate will be deemed "Participating Outlets". Under the promotional activity, consumers can purchase \$50 or more of goods and/or services at these Participating Outlets, which will then entitle the consumer to a 5% discount off their next shop at SUPA IGA Timbertown, plus the ability to enter a competition.

Legal immunity conferred by the notification commenced on 14 August 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 Hastings and the Participating Outlets 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 Erin Donohue on (02) 6243 1291.

Yours sincerely

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

Dr Richard Chadwick
General Manager
Adjudication Branch