



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2010/1006
Contact Officer: Jasmine Tan
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23 November 2010

Ms Jacqueline Downes
Partner
Allens Arthur Robinson
Deutsche Bank Place
Corner Hunter and Phillip Streets
Sydney NSW 2000

Dear Ms Downes

**Third line forcing notifications N95119 & N95120
lodged by News Digital Media Pty Ltd**

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 9 November 2010. The notifications have been placed on the ACCC's public register.

From time to time, News Digital Media proposes to provide *The Australian* application for no additional charge:

- (i) for a limited period of time (up to 3 months) to customers who purchase a particular wireless broadband device, and
- (ii) to customers who purchase a wireless broadband plan offered through certain telecommunications providers for the duration of the plan.

Legal immunity conferred by the notifications commenced on 23 November 2010.

On the basis of the information that you have provided, it is not intended that further action be taken in these matters at this stage.

As with any notification, please note that the ACCC may act to remove the immunity afforded by the 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 News Digital Media 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 these matters, please do not hesitate to contact Jasmine Tan on (02) 6243 1363.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized 'R' followed by a long, sweeping horizontal line that curves upwards at the end.

Dr Richard Chadwick
General Manager
Adjudication Branch