



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2010/1047
Contact Officer: Jasmine Tan
Contact Number: (02) 6243 1363

8 December 2010

Amanda Bodger
Partner
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000

Dear Ms Bodger

**Third line forcing notifications N95184 -N95184
lodged by Telco for Business Pty Ltd & Ors**

I refer to the above third line forcing notifications, which the Australian Competition and Consumer Commission (the ACCC) received on 19 November 2010. The notifications were validly lodged on 25 November 2010 when Telstra provided the ACCC with evidence of its authority to lodge the notifications on behalf of Telco for Business Pty Ltd & Ors. The notifications have been placed on the ACCC's public register.

Telco for Business Pty Ltd, Viatek Central Victoria Pty Ltd, Viatek South East Victoria Pty Ltd, Decalex Pty Ltd and Interlink Telecoms Pty Ltd (together Telco for Business Pty Ltd & Ors) each propose to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers only on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra, and
- (ii) give or allow or offer to give or allow a discount allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications service plans from Telstra.

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items.

Legal immunity conferred by the notifications will commence on 9 December 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 Telco for Business Pty Ltd & Ors 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, appearing to be 'Richard Chadwick', written over a horizontal line.

Dr Richard Chadwick
General Manager
Adjudication Branch