



**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

Our Ref: C2011/533
Contact Officer: Susan Philp
Contact Number: 02 6243 1347

6 July 2011

Stephen Quail
Managing Director
Mobiles Galore
142 Wellington Road
East Brisbane QLD 4169

Dear Mr Quail

Third line forcing notification N95446 lodged by Fernmere Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 20 June 2011. The notification has been placed on the ACCC's public register.

Fernmere Pty Ltd proposes to supply or offer to supply a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, software, hand held computers, data products and internet starter packs) (Dealer Products) and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food items) (Promotional Products) to customers on condition that they acquire telecommunication services and/or related goods or services from Telstra.

Legal immunity conferred by the notification commenced on 5 July 2011.

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 Fernmere Pty Ltd 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 Susan Philp on (02) 6243 1347.

Yours sincerely

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

Dr Richard Chadwick
General Manager
Adjudication Branch