



**Australian
Competition &
Consumer
Commission**

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Our Ref: 47264
Contact Officer: Hannah Ransom
Contact Number: (02) 6243 1255

21 October 2011

Mr Colin Kangisser, Chief Executive Officer
The Optical Company (NSW) Pty Ltd
Level 7, Tower B, Centennial Plaza,
280 Elizabeth Street
Surry Hills NSW 2010

Dear Mr Kangisser,

**Third line forcing notification N95601 lodged by The Optical Company (NSW)
Pty Ltd**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 14 October 2011. The notification has been placed on the ACCC's public register.

The Optical Company (NSW) Pty Ltd proposes to supply retail eyecare products at a discount to customers on condition that the customers are a member of NIB Health Fund.

Legal immunity conferred by the notification will commence on 28 October 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 The Optical Company (NSW) 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 Hannah Ransom on (02) 6243 1255.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Dr Richard Chadwick', with a stylized, looping flourish.

Dr Richard Chadwick
General Manager
Adjudication Branch