



**Australian
Competition &
Consumer
Commission**

Our Ref: Trackit - 47397
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31 October 2011

Mr Michael Waddell
Retail Business Development Manager
Australian Fuel Distributor Pty Ltd
PO Box 695
VICTORIA PARK WA 6879

Dear Mr Waddell

**Third line forcing notification N95614 lodged by Australian Fuel Distributors Pty
Ltd trading as Gull Spearwood**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 27 October 2011. The notification has been placed on the ACCC's public register.

Australian Fuel Distributors Pty Ltd (AFD), trading as Gull Spearwood, proposes to offer a discount in relation to the supply or proposed supply of motor fuels to consumers purchasing fuel at participating service stations in Western Australia on the condition that the consumer has purchased prescribed groceries (of a qualifying amount) at participating IGA stores nominated by IGA Distribution (WA) Pty Limited (IGA). Consumers who spend the qualifying amount at the participating IGA stores would receive a voucher which entitles them to a fuel discount at AFD service station. Approximately 50 service stations will participate in the promotion and up to 150 IGA stores may participate in the proposed conduct.

Legal immunity conferred by the notification will commence on 10 November 2011.

On the basis of the information 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 AFD station – Gull Spearwood – 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 Gina D'Ettorre on 03 9290 1483.

Yours sincerely



Dr Richard Chadwick
General Manager
Adjudication Branch