



**Australian
Competition &
Consumer
Commission**

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Our Ref: N95600
Contact Officer: Tanya Hobbs
Contact Number: (02) 6243 1029

8 November 2011

Peter Dowdall
Solicitor
Watson Mangioni Lawyers Pty Limited

Dear Mr Dowdall

Third line forcing notification N95600 lodged by ING Bank (Australia) Limited

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 11 October 2011. The notification has been placed on the ACCC's public register.

ING Bank (Australia) Limited (ING) proposes to offer a range of incentives to eligible ING DIRECT Orange Everyday transaction account customers (ING Customers) who make purchases with various merchants participating in ING's ING DIRECT Orange Everyday transaction account incentive offers scheme (Partners). These incentives include discounts on the purchase price, gift with purchase, free shipping and 'buy one get one free' offers.

Partners include retailers and service providers (including but not limited to travel, restaurant and entertainment segments).

Legal immunity conferred by the notification automatically commenced on 25 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 ING 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 Tanya Hobbs on (02) 6243 1029.

Yours sincerely



David Hatfield
General Manager
Adjudication Branch