



Australian
Competition &
Consumer
Commission

Our Ref: 47531
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13 December 2011

Ms Megan Cox
Showbiz International Pty Ltd
Level 3, 579 Harris Street
ULTIMO NSW 2007

Dear Ms Cox

Third line forcing notification N95628 lodged by Showbiz International Pty Ltd

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

Showbiz International Pty Ltd (Showbiz) will offer PayPal members exclusive offers to purchase season and special tickets and ticket packages to live entertainment, sporting and cultural events on condition that the customer make the purchase from Showbiz's website: www.showbiz.com.au and use PayPal to pay for the purchase. The offer will be promoted directly to PayPal members and Showbiz subscribers, and on the Showbiz website.

Legal immunity conferred by the notification commenced on 28 November 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 Showbiz and PayPal will disclose all relevant terms and conditions to prospective clients. Please note that the notifications do not provide immunity from legal action under the *Competition and Consumer Act 2010* (the Act) for false, misleading or deceptive conduct. It is a matter for you to obtain your own legal advice about whether the promotion gives rise to potential breaches of other parts of the Act.

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 Imogen Hartcher-O'Brien on (02) 6243 1049.

Yours sincerely

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

Dr Richard Chadwick
General Manager
Adjudication Branch