



Australian  
Competition &  
Consumer  
Commission

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Our Ref: C2011/1036  
Contact Officer: Imogen Hartcher-O'Brien  
Contact Number: (02) 6243 1049

17 January 2012

Mr Adrian Goss  
Corporate Counsel  
ACP Magazines Limited

By email: [agoss@acpmagazines.com.au](mailto:agoss@acpmagazines.com.au)

Dear Mr Goss

**Third line forcing notification N95657 lodged by ACP Magazines Limited**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 16 December 2011. The notification has been placed on the ACCC's public register.

As part of a promotion being run by Samsung Electronics Australia Pty Ltd, ACP will provide a six month magazine subscription valued at between \$9.98 and \$34.98 via Magshop, an online magazine subscription store, for certain magazines on the condition that consumers purchase a Samsung Galaxy Tab 10.1 from any participating Australian Vodafone Hutchison Australia Pty Ltd retail outlet. The magazines include *4X4*, *Australian Dirt Bike*, *APC*, *Cleo*, *Dolly*, *Good Food*, *Money*, *Motor*, *PC User*, *Recipes Plus*, *Rolling Stone*, *Street Machine* and *Wheels*.

Legal immunity conferred by the notification commenced on 30 December 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 ACP and Samsung Electronics Australia Pty Ltd will disclose all relevant terms and conditions to prospective clients. Please note that the notification does 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



David Jones  
A/g General Manager  
Adjudication Branch