



**Australian
Competition &
Consumer
Commission**

Our Ref: N96125
Contact Officer: Tanya Hobbs
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5 September 2012

Mr Kran Dhanak
Managing Director
OM Jewellers Pty Ltd
140 Williams Street
PERTH WA 6000

Dear Mr Dhanak

Third line forcing notification N96125 lodged by OM Jewellers Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the **ACCC**) on 29 August 2012. The notification has been placed on the ACCC's public register.

OM Jewellers Pty Ltd (**OM Jewellers**) proposes to offer a lay-buy service to its customers as a method of purchasing goods from OM Jewellers. It will make this offer on the condition that any customer that uses the lay-buy service acquires a Certegy Lay-Buy Express account and services from Certegy Ezi-Pay Pty Ltd (**Certegy**), OM Jewellers' proposed lay-buy provider.

Legal immunity conferred by the notification will commence on 12 September 2012.

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 OM Jewellers and Certegy will disclose all relevant terms and conditions to prospective customers.

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

Dr Richard Chadwick
General Manager
Adjudication Branch