



**Australian
Competition &
Consumer
Commission**

Our Ref: N96190
Contact Officer: Jaime Martin
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15 October 2012

The Company Secretary
Callaway Golf South Pacific Pty Ltd
18 Corporate Ave
Rowville VIC 3178

Via email: leighton.richards@callawaygolf.com

Dear Mr Richards

Third line forcing notification N96190 lodged by Callaway Golf South Pacific Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 11 October 2012. The notification has been placed on the ACCC's public register.

Callaway Golf South Pacific Pty Ltd (Callaway) proposes to offer consumers a \$100 debit card on condition that they purchase a Qualified Driver from a participating authorised retailer.

I note that a Qualified Driver includes the following men's and women's Callaway drivers: RAZR X Black, RAZR Fit, RAZR Fit Colour Your Game and RAZR Fit Tour Authentic (including custom built versions of these drivers).

Legal immunity conferred by the notification will commence on 25 October 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 Callaway and participating retailers 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 contact Jaime Martin on (03) 9290 1477 (or at jaime.martin@acc.gov.au).

Yours sincerely

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

Dr Richard Chadwick
General Manager
Adjudication Branch