



**Australian
Competition &
Consumer
Commission**

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Our Ref: 49958
Contact Officer: Megan Cunningham
Contact Number: (03) 9290 1856

30 October 2012

Mr Robert Smithies
Executive Director
Sydney University Sport
Sydney Uni Sports and Aquatic Centre Building G09
University of Sydney NSW 2006

Dear Mr Smithies

Third line forcing notification N96216 lodged by Robert Smithies, as a member of Sydney Uni Sport and Fitness management committee

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 24 October 2012. The notification has been placed on the ACCC's public register.

Robert Smithies, as a member of Sydney Uni Sport and Fitness management committee (the body controlling Sydney University Sport, ABN 96 121 520 371) proposes to offer private health insurance members of Bupa Australia Pty Ltd (**Bupa**) who are staff or students of Sydney University, or members of the general community and who are pass holders at the Sydney Uni Sport & Fitness Centre, a waiver of the annual membership fee at Sydney Uni Sport & Fitness.

Legal protection conferred by the notification will commence on 7 November 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 legal protection provided 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 Sydney Uni Sport & Fitness, through you, Bupa and any other relevant parties 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 Megan Cunningham on (03) 9290 1856.

Yours sincerely



Dr Richard Chadwick
General Manager
Adjudication Branch

cc.

Emma Zipper
General Counsel & Company Secretary
Bupa Australia Group
600 Glenferrie Rd
HAWTHORN VIC 3122