



**Australian
Competition &
Consumer
Commission**

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Our Ref: 47805
Contact Officer: Hannah Ransom
Contact Number: (02) 6243 1255

|| January 2012

Mr James Stevens
Chief Executive Officer
Roses Only & Lush Flowers Pty Ltd
57-59 Dunning Avenue
Rosenberry NSW 2018

CC: Ms Emma Zipper
General Counsel
Bupa Australia Group
PO Box 14639
Melbourne VIC 8001

Dear Mr Stevens,

**Third line forcing notification N95658 lodged on behalf of Roses Only & Lush
Flowers Pty Ltd**

I refer to the above third line forcing notification lodged by Bupa Australia Pty Ltd on behalf of Roses Only & Lush Flowers Pty Ltd, with the Australian Competition and Consumer Commission (the ACCC) on 16 December 2011. The notification has been placed on the ACCC's public register.

Roses Only & Lush Flowers Pty Ltd proposes to offer discounts on online flowers, fruit and hampers to customers, on condition that they acquire private health insurance from Bupa Australia Pty Ltd.

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 Roses Only & Lush Flowers will disclose all relevant terms and conditions to prospective clients.

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 Hannah Ransom on (02) 6243 1255.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D. Jones', is placed over a light blue rectangular background.

David Jones
A/g General Manager
Adjudication Branch