



**Australian
Competition &
Consumer
Commission**

GPO Box 3131
Canberra ACT 2601

23 Marcus Clarke Street
Canberra ACT 2601

tel: (02) 6243 1111
fax: (02) 6243 1199

www.accc.gov.au

Our Ref: N95859
Contact Officer: David Hatfield
Contact Number: 02 6243 1266

25 May 2012

Tony Karras
Director Business Development
Level 5, 1-3 Smail Street
Ultimo NSW 2077

Copied to:
Emma Zipper
General Counsel & Company Secretary
Bupa Australia Group
600 Glenferrie Rd
Hawthorn VIC 3122

Dear Mr Karras

Third line forcing notification N95859 lodged by Fortuity Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 10 May 2012. The notification has been placed on the ACCC's public register.

Fortuity (trading as Weight Watchers Australasia) proposes to offer private health insurance members of Bupa Australia Pty Ltd trading as Bupa, discounts on its regular prices from time to time.

Legal immunity conferred by the notification commenced on 24 May 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 Fortuity and Bupa 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 David Hatfield on (02) 6243 1266.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R Chadwick', written in a cursive style.

Dr Richard Chadwick
General Manager
Adjudication Branch