



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: TRACKIT 52120  
Contact Officer: Gina D'Ettorre  
Contact Number: 03 9290 1483

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30 August 2013

Ms Prudence Trollope  
Director  
Flatout Australia Pty Ltd

**By email: [pruetrollope@flatout.com.au](mailto:pruetrollope@flatout.com.au)**

Dear Ms Trollope

**Third line forcing notification N96931 lodged by Flatout Australia Pty Ltd**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 28 August 2013. The notification has been placed on the ACCC's public register.

Flatout Australia Pty Ltd proposes to offer a gift or discount to customers on condition that the customer uses Mastercard to pay for certain products.

Legal protection conferred by the notification will commence on 11 September 2013.

On the basis of the information 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 Flatout Australia Pty Ltd and Mastercard 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 Gina D'Ettorre on 03 9290 1483.

Yours sincerely

Dr Richard Chadwick  
General Manager  
Adjudication Branch