

Our Ref: N96621
Contact Officer: Tanya Hobbs
Contact Number: (02) 6243 1029



**Australian
Competition &
Consumer
Commission**

28 February 2013

Mr Patrick Fair
Baker & McKenzie
Solicitors & Attorneys

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By email: Patrick.fair@bakermckenzie.com

Dear Mr Fair

Third line forcing notification N96621 lodged by MasterCard Asia/Pacific (Australia) Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 22 February 2013. The notification has been placed on the ACCC's public register.

MasterCard Asia/Pacific (Australia) Pty Ltd (Mastercard) proposes to offer tickets to a private concert to its cardholders on condition that those cardholders use Mastercard's PayPass system to acquire food, beverages or other products from merchants operating at the Future Music Festival.

Legal protection conferred by the notification will commence on 8 March 2013.

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 Mastercard will disclose all relevant terms and conditions to its cardholders.

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 Tanya Hobbs on (02) 6243 1029.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Richard Chadwick'.

Dr Richard Chadwick
General Manager
Adjudication Branch