



Australian  
Competition &  
Consumer  
Commission

Our Ref: 50172  
Contact Officer: Megan Cunningham  
Contact Number: (03) 9290 1856

GPO Box 3131  
Canberra ACT 2601

1 July 2013

23 Marcus Clarke Street  
Canberra ACT 2601

Mr Joe Cohen  
Chief Executive Officer  
Peak Care Equipment Pty Ltd

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

[www.accc.gov.au](http://www.accc.gov.au)

By email: [jcohen@peak-care.com.au](mailto:jcohen@peak-care.com.au); [horiti@dohlaw.com.au](mailto:horiti@dohlaw.com.au)

Dear Mr Cohen

### **Third line forcing notification N96266 lodged by Peak Care Equipment Pty Ltd**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the **ACCC**) on 15 November 2012. The notification has been placed on the ACCC's public register.

Peak Care Equipment Pty Ltd (**Peak Care**) proposes to offer reduced prices of its products to consumers on condition that they are members of Carers Queensland.

Legal protection conferred by the notification commenced on 29 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 Peak Care will disclose all relevant terms and conditions to prospective customers. It is a matter for you to ensure that the proposed conduct complies with all relevant parts of the Act.

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

Richard Chadwick  
General Manager  
Adjudication Branch