
Adjudication

Authorisations

The Commission has the function, through the authorisation process, of adjudicating on proposed mergers and certain anti-competitive practices that would otherwise breach the Trade Practices Act.

Authorisation provides immunity from court action and is granted if the Commission is satisfied that the practice delivers offsetting public benefits.

Notifications finalised

The following notifications have been allowed to stand.

The Law Society of Western Australia (N70199) in relation to the offer of a discount on the premiums for professional indemnity insurance to law firms participating in the Quality Practice Standard scheme.

AFF Franchising Pty Ltd (N70367) in relation to a proposal to supply franchise rights to franchisees under a standard franchise agreement.

Amalgamated Food and Poultry Pty Ltd (N70366) in relation to an offer to supply franchise rights on condition nominated suppliers are used.

Austar Entertainment Pty Ltd (N31239) in relation to a proposal to offer new Austar customers free installation on condition that the customer purchases Sanyo products from chosen suppliers.

BP Australia Pty Ltd, United Convenience Buyers Pty Ltd (N91132–3) in relation to the requirement that BP dealers using the 2go trade mark acquire the services of United Convenience Buyers Pty Ltd and United Convenience Buyers Pty Ltd require all participating BP dealers to display 2go trade marks if acquiring the services of UCB.

BP Australia Pty Ltd (N91142–7) in relation to a proposal to offer a discount on petrol on condition that the consumer has purchased goods of a specified value from Foodland Associated Limited.

Lyle Pty Ltd, Kiwi Blue Pty Ltd, Broome Central Service Station (N91138) in relation to a proposal to offer a discount on petrol when the

customer purchases \$30 or more of goods from Action Supermarket Broome.

CSR Limited (N91134) in relation to a proposal to sell unimproved lots of land on condition that the purchaser enters into a contract with Mirvac Homes Limited to construct a residential dwelling.

Foxtel Management Pty Ltd, Foxtel Cable Television Pty Ltd (N91108–9) in relation to free installation of Foxtel basic package if Sanyo products are acquired from nominated retailers.

Foxtel Management Pty Ltd (N91106–7) in relation to free installation of Foxtel basic package if Sony products are acquired from nominated retailers.

Heritage Management Limited, FlexiPlan Australia Limited, MLC Investments Limited (N70363–5) in relation to an offer to refund or rebate administration fees for any person who ceases to invest in FAL or HML and switches their investments to a MasterKey investment offered by the MLC Group.

K&S Ampol (N91149) in relation to offering discounted fuel on condition customers acquire groceries from either Fosters Foodland or Andami IGA.

Michelin Australia Pty Ltd (N40569) in relation to a proposal to offer credit or allowance to Recamic Franchisees against the price of used truck and bus tyres if franchisees acquire used tyres from MAPL's authorised truck and bus tyre dealers.

National Australia Bank Limited, Flag Choice Hotels Limited (N40574–7) in relation to a proposal by NAB to offer a discount on the supply of EFTPOS Merchant Services on condition that the customer will acquire Flag Choice Franchise Services from Flag Choice and offer a discount in the supply of EFTPOS Merchant Services to Flag Choice Franchisees if they acquire one or more AMEX products. Flag Choice Hotels Limited have lodged two related notifications in which they propose to offer Flag Choice Franchise Services to Flag Choice Franchisees on condition that they acquire one or more products from AMEX, they also propose to supply Loyalty Program Management Services to Flag Choice Franchisees if they acquire EFTPOS Merchant Services from the NAB.

Qantas Airways Limited, American Express International Inc (N91154–5) in relation to a proposal by Qantas to offer discounted four-person Qantas Club membership and rebates on amounts spent annually for clients using the American Express Qantas Business Card or the American Express Qantas Corporate Card.

RAMS Finance Pty Ltd (N91156) providing franchise services on condition that businesses acquire printing of brochures, letterhead etc. from a nominated supplier—namely Fast Proof Press Pty Limited.

Sanyo Australia Pty Ltd (N91118) in relation to free installation of Foxtel or Austar pay TV service to retail buyers of particular Sanyo brand products.

Shell Company of Australia Limited (N40573) in relation to the supply of goods and services including petroleum products to Eureka Operations Pty Ltd on condition Eureka acquires LPG from Shell Gas.

Sleepy's Pty Ltd (N91131) in relation to a proposal where retailers are required to purchase stock from approved or preferred suppliers and install and operate a retail management software system developed by Betta Stores Ltd.

Strasburger Enterprises Pty Ltd (N91130) in relation to a proposal to offer a discount on petrol on condition that consumers acquire goods of a specific value from Action Supermarket.

Synergy Capital Management Limited (N40568) in relation to a proposal to refuse to supply products to customers who have not acquired or have not agreed to acquire one or more products from ACS, JB Were, Smith Barney, Macquarie Equities or Bell Potter Securities.

TKTS Pty Ltd (N31225) in relation to discounting tickets if they are purchased using MasterCard.

Biltmore Group Pty Ltd (N40570) in relation to services provided for customers who have acquired conveyancing services from a solicitor.

Royal & Sun Alliance Insurance Australia Limited (N31238) in relation to a proposal to offer a discount on professional indemnity insurance premiums to members of the National Institute of Accountants who retain Marsh Pty Limited as their insurance broker.

United Medical Protection Limited, Australasian Medical Insurance Limited (N91148, N91151) in relation to a proposal in which UMPL will refuse to offer member services if the member does not acquire a legal expenses insurance

policy from AMIL. AMIL will offer professional indemnity insurance and or financial services on condition that the proposed insured is a member of UMP.

Village Cinemas Australia Pty Ltd (N91135) in relation to a proposal to offer a free movie ticket if the consumer buys two specially market bottles of Fanta and presents the labels from the bottles at the cinema.