



Australian Competition & Consumer Commission

FILE No:

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Australia  
Ph: (02) 6243 1111  
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Our Ref: N90798  
Your Ref: 188617-v01\W97\JK3  
Contact Officer: Georgina Robertson  
Contact Phone: (02) 6243 1168

7 August 2000

Mr Bruce Webb  
Baker & McKenzie Solicitors  
Level 39  
525 Collins St  
MELBOURNE VIC 3000

Dear Sir

**Molex Premises Networks Certified Installer Agreement and Certified Installer Warranty**

I refer to your facsimile of 1 August 2000.

I confirm that immunity for the third line forcing conduct as notified came into force on 6 July 2000.

As you are aware, notification N90798 only provides immunity under the *Trade Practices Act 1974* ('the Act') for the third line forcing conduct as notified.

The Act provides that the Commission may review a notification at any time. To deny or revoke immunity in respect of notified third line forcing conduct, the Commission must be satisfied that the likely benefit to the public will not outweigh the likely detriment to the public.

I note your advice that your client is not attempting to contract out of the statutory warranties provided for under the Act.

If the Commission were to receive complaints that your client's warranty documents on their interpretation were, in practice, misleading consumers as to the extent of their statutory rights, the Commission may review the notification on the grounds that the notified conduct does not satisfy the net public benefit test.



If you have any queries in relation to this matter, please contact Georgina Robertson on (02) 6243 1168.

Yours faithfully

A handwritten signature in black ink that reads "Ian Searles". The signature is written in a cursive style with a large initial 'I'.

Ian Searles  
Acting General Manager  
Adjudication Branch