

**Australian Competition & Consumer Commission**

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Our Ref: C2004/118  
Contact Officer: Amanda Dadd  
Contact Number: 6243 1391

23 January 2004

Simon Newcombe  
Clayton Utz  
Lawyers  
GPO Box 55  
BRISBANE QLD 4001  
DX 128 Brisbane

Dear Mr Newcombe

**Re: Third line forcing notification no. N91328  
lodged by Beds 'R' Us Pty Ltd**

I refer to the above third line forcing notification lodged by Beds 'R' Us Pty Ltd (Beds 'R' Us) with the Australian Competition and Consumer Commission (the Commission) on 14 January 2004.

You have described the conduct as the offer of a Beds 'R' Us franchise on the condition that the franchisee will acquire Bedding Products for that franchise from Beds 'R' Us preferred suppliers. Legal immunity provided by the notification will commence on 28 January 2004.

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.

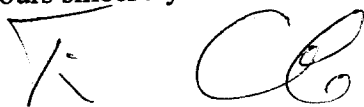
As with any notification, please note that the Commission may act to remove the immunity afforded by this notification at a later stage if it is satisfied that the likely benefit to the public from the conduct will not outweigh the likely detriment to the public from the conduct.

In respect of this conduct, I bring to your attention the requirement under the Franchising Code of Conduct for a franchisor to disclose in the Franchise Disclosure Document any commission or rebate received through an agreement with a third party supplier.



This letter has been placed on the Commission's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Amanda Dadd on 6243 1391.

Yours sincerely

A handwritten signature in black ink, consisting of a stylized 'T' followed by a cursive 'G' and 'W'.

Tim Grimwade  
General Manager  
Adjudication Branch