



**Australian
Competition &
Consumer
Commission**

Our Ref: C2005/209
Contact Officer: Cameron Martin
Contact Phone: 02 6243 1107

24 February 2005

Mr Darren Pratt
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Dear Mr Pratt

**Third line forcing notification lodged by Prestige Motors Pty Ltd (N70409)
Third line forcing notification lodged by Eastpoint Pty Ltd (N70410)**

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 21 January 2005. Statutory immunity conferred by the notifications commenced on 4 February 2005.

The notified conduct is described as Prestige Motors Pty Ltd trading as Toyota WA Distributor (TWA) and Eastpoint Pty Ltd (Eastpoint) offer to provide qualifying prospective Toyota dealers a package of goods and services, including an offer of a Toyota Dealer Agreement and assistance to acquire an existing Toyota Dealership, pursuant to its Dealer Assistance Program, *on condition that* the qualifying prospective Toyota dealer's operating company acquires its finance from Toyota Finance Australia Ltd.

On the basis of the information provided by TWA and Eastpoint, it is not intended that further action be taken in this matter at this stage.

Please note that the ACCC may act to remove the immunity afforded by the notifications 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.

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 Cameron Martin on (02) 6243 1107.

Yours sincerely

Scott Gregson
Acting General Manager
Adjudication Branch

