



Australian Competition & Consumer Commission

PO Box 1199
Dickson ACT 2602
470 Northbourne Ave
Dickson ACT 2602
Australia
Ph (02) 6243 1111
Fax (02) 6243 1199

Our Ref: C2003/1579
Contact Officer: Ursula Everett
Contact Number: (02) 6243 1235

20 April 2004

Mr Stephen Giles
Partner
Deacons
GPO Box 4592
Melbourne Vic 3001

Dear Mr Giles

**Re: Third line forcing notifications Nos. N40662, N40663 and N40664
lodged by Coffee Central Australia Pty Ltd**

I refer to the above third line forcing notifications (N40662, N40663 and N40664) lodged with the Australian Competition and Consumer Commission (the Commission) on 24 November 2003. The notifications have been placed on the Commission's public register.

Legal immunity provided by the notifications commenced on 8 December 2003.

The notifications detail proposed arrangements whereby Coffee Central Australia Pty Ltd will require prospective Supanews Franchisees to enter into Franchise Agreements with certain Lottery Agents (Tattersall's Sweeps Pty Ltd, New South Wales Lotteries Corporation and Golden Casket), as a condition of entering into a Supanews Franchise Agreement.

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.



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 Ursula Everett on (02) 6243 1235.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ti' followed by a stylized surname.

Tim Grimwade
General Manager
Adjudication Branch