



**Australian
Competition &
Consumer
Commission**

Faxed 31/10/05
SC

Our Ref: N92128
Your Ref: CC:KE:21026
Contact Officer: Siobhán O'Gara
Contact Phone: 08 9325 0608

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31 October 2005

Mr Con Castrisos
H Drakos & Company
Solicitors
P O Box 5453
WEST END QLD 4101

Dear Mr Constrisos

Third line forcing notification no. N92128 lodged by Elite Fitness Franchising Pty Ltd

I refer to the above third line forcing notification lodged by Elite Fitness Franchising Pty Ltd with the Australian Competition and Consumer Commission (ACCC) on 2 September 2005. The notification has been placed on the ACCC's public register.

You describe the conduct as a requirement for franchisees to purchase goods from the franchisor or approved suppliers, other than in specific exceptional circumstances.

Legal immunity provided by the notification commenced on 16 September 2005.

On the basis of the information you have provided, it is not intended that further action be taken in this matter at this point.

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

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please contact Siobhán O'Gara on (08) 9325 0608.

Yours sincerely

Scott Gregson
General Manager
Adjudication Branch

