



Our Ref: D06/58476
Contact Officer: Woodrow Inman
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**Australian
Competition &
Consumer
Commission**

5 September 2006

Mr Sam Appleyard
Partner
Lynch Meyer
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Faxed
5/09/2006

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Dear Mr Appleyard,

**Re: Third line forcing notifications N92619 and N92620
lodged by South Australian Housing Trust and UPL (SA) Pty Ltd**

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 28 August 2006. The notifications have been placed on the ACCC's public register.

The applicants have described the conduct as follows:

"UPL (SA) Pty Ltd and the South Australian Housing Trust propose that in respect of the sales in Precinct 4 that the Trust include in the sale contracts a condition that a purchaser enter into a building contract to construct improvements on the property with one or other of the Display Builders to whom blocks have been allocated, within 21 days of the date of entry into a land contract or prior to settlement whichever is earlier."

On the basis of the information provided, it is not intended that further action be taken in this matter at this stage. Legal immunity conferred by the notifications will come into force on 11 September 2006.

As with any notification, please note that the ACCC may act to remove the immunity afforded by these 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.

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 Woodrow Inman on 02 6243 1088.

Yours sincerely

Scott Gregson
General Manager
Adjudication Branch

