



**Australian
Competition &
Consumer
Commission**

Our Ref: N41009
Contact Officer: Ilona Balint
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6 September 2006

Mr Warren Scott
Senior Associate
Deacons
GPO Box 4592
MELBOURNE VIC 3001

Dear Mr Scott,

**Re: Notification lodged by The Confectionery & Party Shop (Franchising) –
N41009**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 29 August 2006. The notification has been placed on the ACCC's public register.

The Confectionery & Party Shop (Franchising) Pty Ltd (CPS) has described the conduct as follows:

CPS proposes to list BOC Limited gas and related products such as cylinders and storage vessels as licensed products in the Australian Franchise Agreement. Further, CPS proposes to list BOC Limited as the Licensed Supplier of those products under the Australian Franchise Agreements. CPS also proposes to list BOC gas and related products such as cylinders and storage vessels as "key supplier products" under the proposed New Zealand Master Franchise Agreement. CPS intends to list BOC limited as the "approved key supplier" of those key supplier products.

Legal immunity conferred by the notification will come into force on 12 September 2006.

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 ACCC may act to remove the immunity afforded by the 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.



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 Ilona Balint on (02) 6243 1113.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Gregson', with a large, sweeping horizontal stroke extending to the right.

Scott Gregson
General Manager
Adjudication Branch