



**Australian
Competition &
Consumer
Commission**

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Our Ref: 27078
Contact Officer: Tina Pigliardo
Contact Number: (03) 9290 1481

2 February 2007

By facsimile: 03 9600 2010

Mr Joel Webber
Precinct Manager
Precinct Management Services
24 NewQuay Promenade Docklands
MELBOURNE VIC 3008

Dear Mr Webber

**Third line forcing notification N92780 lodged by
Zhong Xian Ye**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) by Zhong Xian Ye on 24 January 2007.

Zhong Xian Ye has described the conduct as follows:

The vendor proposes to sell or offer for sale certain subdivided retail property in the New Quay precinct at Melbourne Docklands to purchasers on condition that purchasers acquire the property management services of Precinct Management Services (PMS) and refuse to sell or offer for sale the retail property for the reason that the purchaser has not agreed to acquire the property management services of PMS.

The retail property relating to the conduct is described as a subdivided retail property in the Nolan Tower of New Quay precinct at Melbourne Docklands.

Legal immunity conferred by the notification will come into force on 7 February 2007.

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.



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.

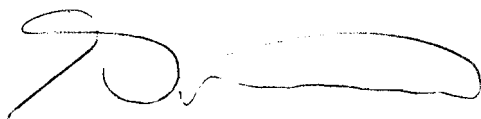
Please also be aware that the ACCC considers that any potential purchasers of the retail property as described above, should be made aware of the condition in question, prior to sale.

Finally, I wish to draw your attention to recent amendments to the Act and Regulations that came into effect on 1 January 2007. In addition to the introduction of a new collective bargaining notification process and the introduction of six month time limits for non-merger authorisation applications, the amendments (particularly to the regulations) introduce new and revised authorisation and notification forms and fees. With respect to third line forcing notification, the applicable fee is now \$100 in all cases.

These changes are described in more detail on the ACCC website, www.accc.gov.au and should assist in authorisation applications or notifications lodged from January 2007.

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 Tina Pigliardo on (03) 9290 1481.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Gregson', with a stylized flourish at the end.

Scott Gregson
General Manager
Adjudication Branch