



**Australian
Competition &
Consumer
Commission**

Our Ref: N92901
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17 May 2007

Fiona Wallwork
Partner
Deacons
GPO Box 3872
SYDNEY NSW 2001

Dear Ms Wallwork,

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 2 May 2007. The notification has been placed on the ACCC's public register.

McGrath Australasia Pty Ltd proposes to offer franchise agreements for residential property real estate businesses, on the condition that the franchisees acquire vendor and agent marketing services from suppliers sourced by Architype Marketing Pty Ltd. Protection from legal action conferred by the notification came into force on 16 May 2007. On the basis of the information that you have provided, it is not intended that further action be taken in relation to this matter at this stage.

As with any notification, please note that the ACCC may act to remove the protection 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.

I would also like to take this opportunity to remind your client of its obligations under the Franchising Code of Conduct, in particular with regard to information disclosure.

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 Shane Chisholm on (02) 6243 1252.

Yours sincerely

Scott Gregson
General Manager
Adjudication Branch

