



Contact Officer: Tina Pigliardo
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**Australian
Competition &
Consumer
Commission**

16 January 2007

Mr Cameron Allen
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Dear Mr Allen

**Third line forcing notification N92736
lodged by Elderslie Finance Corporation Limited**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) by Elderslie Finance Corporation Limited (Elderslie) on 20 December 2006.

The notified conduct, has been described as follows:

The sale of lots on an exclusive basis to purchasers who agree to enter into a domestic building contract with one of six selected builders for the construction of those dwellings on the lots purchased. The Contract's of Sale will include a provision obliging the purchasers to enter into such a Contract with one of the named builders.

The property relating to the conduct is described as vacant land lots in Stage 2 of the development at 440 Bridge Inn Road, 460 Bridge Inn Road, 55 Cravens Road and 1405A Plenty Road, Mernda (the Groves).

Legal immunity conferred by this notification commenced on 3 January 2007.

On the basis of the information 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 this 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.



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 large, sweeping flourish extending to the right.

Scott Gregson
General Manager
Adjudication Branch