



**Australian
Competition &
Consumer
Commission**

GPO Box 3131
Canberra ACT 2601

23 Marcus Clarke Street
Canberra ACT 2601

tel: (02) 6243 1111
fax: (02) 6243 1199

www.accc.gov.au

Our Ref: C2008/1684
Contact Officer: Simon Mitchell
Contact Phone: 03 9290 6909

24 October 2008

John Toigo
Partner
ClarkeKann Lawyers
Level 7, 300 Queen St
Brisband QLD 4000

Dear Mr Toigo

**Exclusive dealing notification N93623 lodged by
Good Price Pharmacy Management Pty Ltd**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 15 October 2008. The notification has been placed on the ACCC's public register.

Good Price Pharmacy Management Pty Ltd (GPPM) proposes to offer franchise agreements to potential franchisees of Good Price Pharmacy Warehouses outlets on condition that the franchisee agrees to:

- purchase various pharmaceutical, health and beauty products from authorised suppliers and
- maintain such products in such quantities as GPPM may reasonable require from time to time.

A franchisee wishing to make purchases from a supplier other an authorised supplier must obtain approval from GPPM.

Legal immunity conferred by the notification came into force on 29 October 2008.

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.

This assessment has been made on the basis that GPPM, in promoting the franchise arrangement, will ensure that potential franchisees are appropriately informed of the terms and conditions governing the franchise arrangement. The ACCC takes this opportunity to remind GPPM of its obligations to prospective franchisees under the Franchising Code of Conduct, in particular its duty of disclosure of all relevant conditions of the franchise agreement.

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 contact Simon Mitchell on 03 9290 6909.

Yours sincerely

A handwritten signature in black ink, consisting of a stylized 'R' followed by a horizontal line extending to the right.

Dr Richard Chadwick
General Manager
Adjudication Branch