



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: C2008/1803  
Contact Officer: Jaime Martin  
Contact Number: (03) 9290 1477

Gary Neave  
Aqueous Commercial Lawyers  
Level 4 Culwulla Chambers  
67 Castlereagh Street  
Sydney NSW 2000

Dear Mr Neave

**Third line forcing notifications N93637 and N93638 lodged by Belle Property Australasia Pty Ltd**

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 31 October 2008. The notifications have been placed on the ACCC's public register.

Belle Property Australasia Pty Limited (as trustee for the Belle Property Australasia Unit Trust and hereafter referred to as 'Belle Property') proposes to:

- require its franchisees to acquire the services of auctioneers that have been approved by Belle Property to perform all auctions provided by the franchisee in the operation of the franchise and
- require its franchisees to acquire 'Group Products' (that is, stationary, signage and promotional materials) for use in the conduct and operation of their real estate franchise business from nominated approved suppliers.

Legal immunity conferred by the notifications will commence on 14 November 2008.

On the basis of the information that you have provided, it is not intended that further action be taken in relation to the notifications at this stage.

As with any notification, please note that the ACCC may act to remove the immunity afforded by these notifications 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.

This assessment has been made on the basis that Belle Property will disclose all relevant terms and conditions to current and prospective franchisees.

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 Ms Jaime Martin on (03) 9290 1477.

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

13/11/2008