



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2009/1676
Contact Officer: Simon Mitchell
Contact Number: 03 9290 6909

20 October 2009

Kathryn Edghill
Partner
Truman Hoyle Lawyers
Level 11, 68 Pitt St
Sydney NSW 2000

Dear Ms Edghill

**Third line forcing notification N94242 lodged by
Independent Purchasing Company (Australasia) Ltd (IPCA)**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 6 October 2009. The notification has been placed on the ACCC's public register.

IPCA proposes to provide services, concerning the supply of goods and services to Australian Subway franchises, to suppliers and distributors on condition that they:

- become members of International Compliance Information Exchange (ICIX) Pty Ltd and ICIX North America LLC (iCiX) and
- establish their own business site with iCiX.

Legal immunity conferred by this notification commenced on 20 October 2009.

On the basis of the information that you have provided, it is not intended that further action be taken on this matter at this stage.

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.

This assessment has been made on the basis that IPCA discloses all relevant terms and conditions to current and prospective suppliers.

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 Simon Mitchell on (03) 9290 6909.

Yours sincerely

A handwritten signature in black ink, featuring a large, stylized capital 'R' followed by a long, sweeping horizontal line that extends to the right.

Dr Richard Chadwick
General Manager
Adjudication Branch