



**Australian
Competition &
Consumer
Commission**

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Contact Officer: Erin Donohue
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28 October 2009

Ms Mary Edquist
Monahan + Rowell Lawyers
GPO Box 4542
Melbourne VIC 3001

Dear Ms Edquist

**Third line forcing notification N94220 lodged by the Zoological Parks and
Gardens Board**

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

The Zoological Parks and Gardens Board (Zoos Board) proposes to provide the exclusive right to provide catering services on the condition that:

- the appointed caterer must acquire food and/or beverages supplied by appointed suppliers, being suppliers with whom the Zoos Board has entered into a sponsorship agreement
- the appointed caterer must not supply products or services that compete with those of the Zoos Board's appointed suppliers without first obtaining the consent of the Zoos Board.

Legal immunity conferred by the 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 in 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.

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 Erin Donohue on (02) 6243 1291.

Yours sincerely

A handwritten signature in black ink, featuring a stylized 'R' followed by a horizontal line.

Dr Richard Chadwick
General Manager
Adjudication Branch