

Our Ref: C2009/646 and C2009/648
Contact Officer: John Rouw
Contact Number: (03) 9290 1402



**Australian
Competition &
Consumer
Commission**

17 April 2009

Mr Geoffrey Shiff
Principal
Shiff & Company
Level 2, 34 Queen St
MELBOURNE VIC 3000

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Dear Mr Shiff

**Third line forcing notifications N93894 and N93895 lodged by Villa & Hut
Franchising Pty Ltd**

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 23 March 2009. The notifications have been placed on the ACCC's public register.

Villa & Hut proposes to supply the right to participate in its franchise system (selling beverages, food and, in some cases, home-wares) on condition franchisees buy

- selected confectionery, cookies, slices, cakes, muffins, pastries and like baked products from Taste Tempters Pty Ltd (notification N93894) and
- a blend of coffee beans from Amanti Coffee (Goston A-Vend Pty Ltd and Amanti Coffee Pty Ltd) (notification N93895)

Legal immunity conferred by the notifications commenced on 6 April 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.

This assessment has been made on the basis that Villa & Hut and the food and coffee suppliers will disclose all relevant terms and conditions to prospective customers.

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 John Rouw on (03) 9290 1402.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Hatfield'.

David Hatfield
Acting General Manager
Adjudication Branch