

Wood Marshall Williams

21 May 2009

Our Ref: PW:LK:281561  
Enquiries: Peter Wood  
If Unavailable:

Australian Competition & Consumer Commission  
(ACCC)  
Level 7/123 Pitt Street  
SYDNEY NSW 2000

FILE No:
DOC:
MARS/PRISM:

Dear Sirs

**RE: DRIP DOCTOR FRANCHISING PTY LTD - ACCC NOTIFICATION**

Please find enclosed:

- (a) Form G – Notification of Exclusive Dealing between Drip Doctor Franchising Pty Ltd and Reece Plumbing Pty Ltd;
- (b) Form G – Notification of Exclusive Dealing between Drip Doctor Franchising Pty Ltd and Accounting Sunshine Coast Pty Ltd; and
- (c) Our cheque in your favour in the sum of \$200.00.

Could you please attend to lodgement of the above applications. Kindly contact the writer if there are any queries in this regard.

Yours faithfully  
WOOD MARSHALL WILLIAMS

Peter Wood

Email: pwood@wmw.com.au

Encl.

**Neale Marshall**  
Solicitor, Public Notary &  
Registered Migration  
Agent 9688015

**Peter Wood**  
Consultant





## Form G

Commonwealth of Australia  
*Trade Practices Act 1974 — subsection 93 (1)*  
**NOTIFICATION OF EXCLUSIVE DEALING**

To the Australian Competition and Consumer Commission:

Notice is hereby given, in accordance with subsection 93 (1) of the *Trade Practices Act 1974*, of particulars of conduct or of proposed conduct of a kind referred to subsections 47 (2), (3), (4), (5), (6), (7), (8) or (9) of that Act in which the person giving notice engages or proposes to engage.

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

### 1. Applicant

- (a) Name of person giving notice:  
(Refer to direction 2)

N 94 000 **Drip Doctor Franchising Pty Ltd**  
ACN 132 7635 280

- (b) Short description of business carried on by that person:  
(Refer to direction 3)

A franchise system for a vehicle based plumbing maintenance system.

- (c) Address in Australia for service of documents on that person:

C/- Wood Marshall Williams, Lawyers  
Level 2, 696 Pittwater Road,  
BROOKVALE NSW 2100

### 2. Notified arrangement

- (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates:

Wholesale supply of plumbing products as primary supplier to Franchisees of the franchise system.

- (b) Description of the conduct or proposed conduct:

A requirement of Franchisees that they acquire most if not all of the supplies of products from Reece Plumbing Pty Ltd.  
(Refer to direction 4)

**3. Persons, or classes of persons, affected or likely to be affected by the notified conduct**

- (a) Class or classes of persons to which the conduct relates:  
(Refer to direction 5)

Franchisees of the Franchise System  
Clients of Franchisees of the Franchise System  
Other suppliers of competing products

- (b) Number of those persons:

- (i) At present time:

.....Nil.....  
.....

- (ii) Estimated within the next year:  
(Refer to direction 6)

As to Franchisees: 20  
As to Clients of Franchisees: 900 per Franchise  
As to other suppliers: not known

- (c) Where number of persons stated in item 3 (b) (i) is less than 50, their names and addresses:

Not applicable

**4. Public benefit claims**

- (a) Arguments in support of notification:  
(Refer to direction 7)

The Applicant believes that the appointment of a principal supplier and a requirement that Franchisees, wherever possible, acquire plumbing products from the principal supplier will enable the Applicant to obtain more favourable prices for its Franchisees on plumbing products generally and accordingly allow the Franchisees to supply services to its clients on more competitive terms.

- (b) Facts and evidence relied upon in support of these claims:

The Applicant has made enquiries as to the costs which would be incurred and the prices which would be payable for comparable goods and services in the absence of the notified conduct and says that Franchisees will achieve significant savings through the notified arrangement.

**5. Market definition**

Provide a description of the market(s) in which the goods or services described at 2 (a) are supplied or acquired and other affected markets including: significant suppliers and acquirers; substitutes available for the relevant goods or services; any restriction on the supply or acquisition of the relevant goods or services (for example geographic or legal restrictions):  
*(Refer to direction 8)*

1. Description of the market in which the goods or services referred to in 2(a) are supplied: The wholesale and trade sales market for plumbing products.
2. Other potential suppliers: Plumbers Hardware Ltd, Hotwater Heaven Ltd, Plumbers Choice and Tradelink.

**6. Public detriments**

- (a) Detriments to the public resulting or likely to result from the notification, in particular the likely effect of the notified conduct on the prices of the goods or services described at 2 (a) above and the prices of goods or services in other affected markets:  
*(Refer to direction 9)*

The applicant is not aware of any detriment to the public resulting from or likely to result from the conduct described in the notification. Any impact is likely to reduce the cost at which Franchisees can provide their services.

- (b) Facts and evidence relevant to these detriments:  
Not applicable

**7. Further information**

- (a) Name, postal address and contact telephone details of the person authorised to provide additional information in relation to this notification:

Jon Patrick Bennett  
PO Box 903  
BUDERIM QLD 4556  
Mobile: 0410 410 303

Darren Wedge  
PO Box 8053  
SOUTH PERTH WA 6151  
Mobile: 0414 230 022

Dated..... 14/5/09 .....

Signed by/on behalf of the applicant

*Darryl Wedge*

(Signature)

DARRYL WEDGE

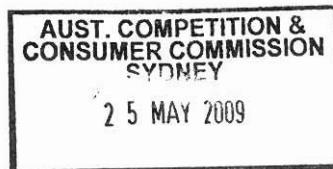
(Full Name)

DRIP DOCTOR FRANCHISES PTY LTD

(Organisation)

Director

(Position in Organisation)



## DIRECTIONS

1. In lodging this form, applicants must include all information, including supporting evidence that they wish the Commission to take into account in assessing their notification.

Where there is insufficient space on this form to furnish the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the applicant.

2. If the notice is given by or on behalf of a corporation, the name of the corporation is to be inserted in item 1 (a), not the name of the person signing the notice, and the notice is to be signed by a person authorised by the corporation to do so.
3. Describe that part of the business of the person giving the notice in the course of the which the conduct is engaged in.
4. If particulars of a condition or of a reason of the type referred to in section 47 of the *Trade Practices Act 1974* have been reduced in whole or in part to writing, a copy of the writing is to be provided with the notice.
5. Describe the business or consumers likely to be affected by the conduct.
6. State an estimate of the highest number of persons with whom the entity giving the notice is likely to deal in the course of engaging in the conduct at any time during the next year.
7. Provide details of those public benefits claimed to result or to be likely to result from the proposed conduct including quantification of those benefits where possible.
8. Provide details of the market(s) likely to be affected by the notified conduct, in particular having regard to goods or services that may be substitutes for the good or service that is the subject matter of the notification.
9. Provide details of the detriments to the public which may result from the proposed conduct including quantification of those detriments where possible.



## Form G

Commonwealth of Australia

*Trade Practices Act 1974 — subsection 93 (1)*

### NOTIFICATION OF EXCLUSIVE DEALING

To the Australian Competition and Consumer Commission:

Notice is hereby given, in accordance with subsection 93 (1) of the *Trade Practices Act 1974*, of particulars of conduct or of proposed conduct of a kind referred to subsections 47 (2), (3), (4), (5), (6), (7), (8) or (9) of that Act in which the person giving notice engages or proposes to engage.

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

#### 1. Applicant

- (a) Name of person giving notice:  
(Refer to direction 2)

N94001 **Drip Doctor Franchising Pty Ltd**  
ACN 132 7635 280

- (b) Short description of business carried on by that person:  
(Refer to direction 3)

A franchise system for a vehicle based plumbing maintenance system.

- (c) Address in Australia for service of documents on that person:

C/- Wood Marshall Williams, Lawyers  
Level 2, 696 Pittwater Road,  
BROOKVALE NSW 2100

#### 2. Notified arrangement

- (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates:

Supply of on line bookkeeping services to Franchisees as a requirement of the franchise system.

- (b) Description of the conduct or proposed conduct:

A requirement of Franchisees that they adopt and use a banking and reporting system known as "Banklink" supplied by Accounting Sunshine Coast Pty Ltd ABN 53099362795 trading as On Line Accountants.

(Refer to direction 4)

**3. Persons, or classes of persons, affected or likely to be affected by the notified conduct**

- (a) Class or classes of persons to which the conduct relates:  
(Refer to direction 5)

Franchisees of the Franchise System  
Clients of Franchisees of the Franchise System  
Other suppliers of competing services

- (b) Number of those persons:

- (i) At present time:

.....Nil.....  
.....

- (ii) Estimated within the next year:  
(Refer to direction 6)

As to Franchisees: 20  
As to Clients of Franchisees: 900 per franchise  
As to other suppliers: not known

- (c) Where number of persons stated in item 3 (b) (i) is less than 50, their names and addresses:

Not applicable

**4. Public benefit claims**

- (a) Arguments in support of notification:  
(Refer to direction 7)

Banklink provides an efficient cost effective means of managing the banking and reporting requirements of the Franchised Business allowing Franchisees the opportunity to devote more time to their other business activities and providing savings for clients and for the Franchisees.

- (b) Facts and evidence relied upon in support of these claims:

The applicant has made enquiries as to the costs which would be incurred and the prices which would be payable for comparable services in the absence of the notified conduct and says that Franchisees will achieve significant savings through the notified arrangement.



**5. Market definition**

Provide a description of the market(s) in which the goods or services described at 2 (a) are supplied or acquired and other affected markets including: significant suppliers and acquirers; substitutes available for the relevant goods or services; any restriction on the supply or acquisition of the relevant goods or services (for example geographic or legal restrictions):  
*(Refer to direction 8)*

1. The market for the supply of bookkeeping and banking services to small businesses;
2. The Applicant is not aware of any other suppliers of similar services.

**6. Public detriments**

- (a) Detriments to the public resulting or likely to result from the notification, in particular the likely effect of the notified conduct on the prices of the goods or services described at 2 (a) above and the prices of goods or services in other affected markets:  
*(Refer to direction 9)*

The applicant is not aware of any detriment to the public resulting from or likely to result from the notification. Any impact is likely to reduce the cost at which Franchisees can provide their services.

- (b) Facts and evidence relevant to these detriments:  
Not applicable

**7. Further information**

- (a) Name, postal address and contact telephone details of the person authorised to provide additional information in relation to this notification:

Jon Patrick Bennett  
PO Box 903  
BUDERIM QLD 4556  
Mobile: 0410 410 303

Darren Wedge  
PO Box 8053  
SOUTH PERTH WA 6151  
Mobile: 0414 230 022

Dated..... 14 / 5 / 2009 .....

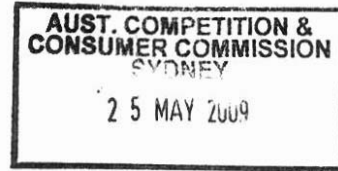
Signed by/on behalf of the applicant

*Darryn Wedge*  
.....  
(Signature)

*DARRYN WEDGE.*  
.....  
(Full Name)

*Deer Doctor Franchising Pty Ltd*  
.....  
(Organisation)

*Director.*  
.....  
(Position in Organisation)



## **DIRECTIONS**

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5. Describe the business or consumers likely to be affected by the conduct.
6. State an estimate of the highest number of persons with whom the entity giving the notice is likely to deal in the course of engaging in the conduct at any time during the next year.
7. Provide details of those public benefits claimed to result or to be likely to result from the proposed conduct including quantification of those benefits where possible.
8. Provide details of the market(s) likely to be affected by the notified conduct, in particular having regard to goods or services that may be substitutes for the good or service that is the subject matter of the notification.
9. Provide details of the detriments to the public which may result from the proposed conduct including quantification of those detriments where possible.