



**Australian
Competition &
Consumer
Commission**

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Our Ref: A91118
Contact Officer: Monica Bourke
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27 May 2009

Dear Sir/Madam

Mortgage and Finance Association of Australia application for revocation and substitution A91118 – final determination

The Australian Competition and Consumer Commission (the ACCC) has issued a determination in respect of the application for revocation and substitution lodged by the Mortgage and Finance Association of Australia (MFAA) on 21 January 2009.

The MFAA sought reauthorisation for its Disciplinary Rules. The Disciplinary Rules are part of the regime governing the conduct of MFAA members. The Disciplinary Rules outline the processes for investigation of complaints, expulsion of members and refusal of applications for membership or accreditation. They also provide for the Board to appoint Investigation Officers and for the establishment and the rules of the MFAA Tribunal.

A copy of the ACCC's determination is attached, including a summary of its reasons. For the reasons set out in its determination, the ACCC has decided to grant authorisation for five years subject to the condition that the MFAA delete Rule 4.7.1A from its Disciplinary Rules.

Application for review

Pursuant to section 101 of the *Trade Practices Act 1974*, a person dissatisfied with this determination may apply to the Australian Competition Tribunal for its review. An application for review must be made within 21 days of the date of this determination; that is, on or before 17 June 2009. If no application to review is lodged by this date, the ACCC's determination will come into force on 18 June 2009.

An application for review of the ACCC's determination should be lodged directly with the Australian Competition Tribunal. The Australian Competition Tribunal is a separate body from the ACCC and is located within the Federal Court of Australia.

For further information about the process involved in reviewing decisions in the Australian Competition Tribunal please refer to the tribunal's website located at <http://www.competitiontribunal.gov.au/>.

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 Monica Bourke on (02) 6243 1351.

Yours sincerely

A handwritten signature in cursive script that reads "Joanne Polini".

 Dr Richard Chadwick
General Manager
Adjudication Branch