



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: C2009/1038  
Contact Officer: Jackson Mallory  
Contact Number: (02) 6243 1061

12 June 2009

Penny Ward  
Partner  
Baker and McKenzie  
AMP Centre  
50 Bridge Street  
SYDNEY NSW 1223

Dear Ms Ward

**Exclusive dealing notifications N93990 & N93991 lodged by AAPC Properties Pty Ltd**

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 22 May 2009. The notifications have been placed on the ACCC's public register.

You have described the notified conduct in the following terms:

AAPC Properties Pty Ltd (Accor) proposes to offer franchise agreements to franchisees on the condition that franchisees acquire services relating to assessment of compliance from InterRISK Pty Ltd (InterRisk) and merchant facilities from Westpac Banking Corporation (Westpac).

Accor is also proposing to offer management agreements to hotel owners on the condition that hotel owners acquire services relating to assessment of compliance from InterRISK and merchant facilities from Westpac.

Legal immunity conferred by the notifications commenced on 5 June 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 these notifications at a later stage if it is satisfied that the likely benefits to the public from the conduct will not outweigh the likely detriments to the public from the conduct.

This assessment has been made on the basis that Accor will disclose all relevant terms and conditions to prospective franchisees and hotel owners.

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 Jackson Mallory on (02) 6243 1061.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R. Chadwick', written over a horizontal line.

Dr Richard Chadwick  
General Manager  
Adjudication Branch