



Australian  
Competition &  
Consumer  
Commission

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22 December 2010

Ainsley Brayne  
Risk and Legal Officer  
Virginia Surety Company Inc

*By email: [ainsley.brayne@au.thewg.com](mailto:ainsley.brayne@au.thewg.com)*

Dear Ms Brayne

**Third line forcing notification N95214 lodged by  
Virginia Surety Company Inc**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 15 December 2010. The notification has been placed on the ACCC's public register.

By the email received by the ACCC on 21 December 2010, you advise that Virginia Surety Company seeks to withdraw the notification. Section 93(7B) of the *Trade Practices Act 1974* (the Act) provides that the legal immunity conferred by the lodging of a third line forcing notification does not come into force where the notification is withdrawn before such immunity would come into force, in this instance, before 29 December 2010.

Accordingly, the ACCC will not proceed with its assessment of the notification. I note that the Act requires the ACCC to list withdrawn notifications on the public register.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please contact Simon Mitchell on (03) 9290 6909 or [simon.mitchell@acc.gov.au](mailto:simon.mitchell@acc.gov.au).

Yours sincerely

Dr Richard Chadwick  
General Manager  
Adjudication Branch