

Our Ref: 47730
Contact Officer: Anna Giannakos
Contact Number: (03) 9290 6920



**Australian
Competition &
Consumer
Commission**

22 December 2011

Mr David Tjhung
Level 6 Westfarmers House
40 The Esplanade
Perth WA 6000

GPO Box 3131
Canberra ACT 2601
23 Marcus Clarke Street
Canberra ACT 2601
tel: (02) 6243 1111
fax: (02) 6243 1199
www.accc.gov.au

Dear Mr Tjhung

**Third line forcing notification N95642 lodged by Western Australian Land
Authority T/A LandCorp**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 7 December 2011. The notification has been placed on the ACCC's public register.

LandCorp proposes to offer 69 residential lots at the Baynton West and Nickol West Estates on condition that the purchasers will acquire building services from a panel of builders preapproved by Landcorp. No builder will be used on more than 5 residential lots. Legal immunity conferred by the notification commenced on 21 December 2011.

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 LandCorp will disclose all relevant terms and conditions to prospective clients.

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 Anna Giannakos on (03) 9290 6920 or by email anna.giannakos@acc.gov.au

Yours sincerely

David Hatfield
Acting General Manager
Adjudication Branch

