

# Form G

Commonwealth of Australia  
*Competition and Consumer Act 2010 — 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 *Competition and Consumer Act 2010*, 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)

N96273

realstate.com.au Pty Ltd  
(ACN 080 195 535)

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

Online real estate advertising services, through which real estate agents may advertise their listings on the realstate.com.au website.

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

Ground Floor, 678 Victoria St, Richmond  
Victoria 3121  
Attn: Paul Gordon

## 2. Notified arrangement

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

Enhanced property listing products of the Applicant bundled with a property data product of a third party that assists real estate agents with property appraisals, information verification and real estate market research.

(b) Description of the conduct or proposed conduct:

Offering real estate agents the opportunity to purchase enhanced property listings on realestate.com.au in combination with the property data product of the third party, via the Applicant as sales agent. Any discount on the cost of enhanced listing would be (Refer to direction 4) conditional on purchase of the data product.

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)

Real estate agents and their clients (vendors). Initially, only approximately 20 agents in South Australia will be selected for a trial of the bundle arrangement. The 20 agents have not yet been selected.

(b) Number of those persons:

(i) At present time:

Approximately 20 real estate agents, as above.

(ii) Estimated within the next year:

(Refer to direction 6)

Up to 153 real estate agents in South Australia.

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

The real estate agents have not yet been selected.

**4. Public benefit claims**

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

Real estate agents and their clients (vendors) will benefit from the bundling of the advertising and data products in the course of their engagement to market and sell property.

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

Real estate agents will receive a discount on enhanced listing products, which ultimately benefits vendors who pay these advertising expenses under agency agreements. Real estate agents benefit from having a 'one-stop-shop' for services assisting their businesses.

**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)

The real estate advertising market in South Australia and the market for real estate-related property data in South Australia. See further Annex 1.

**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)

None

- (b) Facts and evidence relevant to these detriments:


7. Further information

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

Paul Gordon, Senior Legal Counsel  
REA Group Ltd & realestate.com.au Pty Ltd  
Ground Floor, 678 Victoria St, Richmond VIC 3121  
Phone (03) 8456 4682

Dated 15 November 2012

Signed by/on behalf of the applicant

  
(Signature)

Paul Nicholas Gordon  
(Full Name)

realestate.com.au Pty Ltd  
(Organisation)

Senior Legal Counsel  
(Position in Organisation)

## ANNEX 1

### (REFER QUESTION 5)

Other significant real estate advertisers in South Australia include:

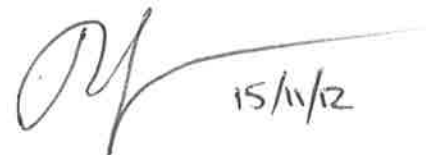
- The Advertiser newspaper
- Adelaidenow.com.au
- Domain.com.au
- Realestateview.com.au
- Homehound.com.au

The print and online products of these businesses are substitutes for each other (for South Australian real estate agents and their vendors).

Significant property data providers in South Australia include:

- RP Data Pty Ltd
- Australian Property Monitors
- PriceFinder.com.au
- Onthehouse.com.au Holdings Ltd / Residex

The property data products of these companies are substitutes for each other (for South Australian real estate agents).



A handwritten signature in black ink, followed by the date 15/11/12.