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finance

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17 February 2012

Chief Executive Officer
Australian Competition & Consumer Commission
PO Box 6381
EAST PERTH WA 6892

Dear Sir,

Notification of Exclusive Dealing

I enclose:

1. A notification of exclusive dealing by Resolve Financial Solutions Pty Ltd; and
2. A cheque for \$100.00 in respect to your fee

If you have any queries in relation to this letter, or the notification, please do not hesitate to contact me.

I look forward to hearing from you.

Yours sincerely


Don Crellin
General Manager
Resolve Finance

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)

N95734 Celebration Nominees Pty Ltd as trustee for The Celebration Unit Trust trading as Celebration Homes (ABN 47 950 269 275) ("Celebrations")

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

Registered Builder

- (c) Address in Australia for service of documents on that person:
PO Box 1602 Osborne Park DC WA 6916

2. Notified arrangement

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

Provision of home loans to customers who build through Celebrations

- (b) Description of the conduct or proposed conduct:

Celebrations proposes to offer a reduced (upfront / initial) house deposit amount to the general public if they obtain home loan finance through Resolve Financial Solutions Pty Ltd trading as Resolve Finance (ABN 65 079 545 378; Australian Credit Licence Number 385487) ("Resolve Finance").

Celebrations and Resolve Finance are both subsidiaries of the Alcock Brown-Neaves Group of companies.

The overall price of the house does not change and there is no requirement or obligation for the customer to use Resolve Finance.

(Refer to direction 4)

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)

Consumers purchasing a home with Celebrations

- (b) Number of those persons:

- (i) At present time:

The numbers of affected persons are difficult to predict either at present or within the next year. The total number of persons is expected to exceed 50.

- (ii) Estimated within the next year:
(Refer to direction 6)

.....
.....

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

.....
.....

4. Public benefit claims

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

Customers purchasing a home through Celebrations are eligible to pay a reduced deposit if they choose to use the services of Resolve Finance.

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

Use of Resolve Finance provides Celebrations and the customer with the benefits of lower cancellation rates, better control of the construction process, faster approval times and better communication between Celebrations and the finance provider. This saves time within the construction process and reduces financial risk to Celebrations.

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)

Market that is likely to be affected is the residential housing market in Western Australia.

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)

Given the highly competitive status of the market referred to in paragraph 5, there does not appear to be any significant public detriment associated with the proposed conduct.

- (b) Facts and evidence relevant to these detriments:
Not applicable


7. Further information

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

Simon Birkhead
General Manager
Celebration Homes
simon@celebrationhomes.com.au
(08) 9202 2300

Dated..... 22 / 2 / 2012

Signed by/on behalf of the applicant

..... 

(Signature)

..... SIMON NICHOLAS BIRKHEAD

(Full Name)

..... CELEBRATION HOMES

(Organisation)

..... GENERAL MANAGER

(Position in Organisation)