



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: 47495  
Contact Officer: Imogen Hartcher-O'Brien  
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16 March 2012

Mr Paul Donovan  
MDS Legal

By email: [pdonovan@mdslegal.com.au](mailto:pdonovan@mdslegal.com.au)

Dear Mr Donovan,

**Real Estate Institute of Western Australia (Inc) application for authorisation A91280  
- draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for revocation and substitution lodged by the Real Estate Institute of Western Australia Inc (REIWA) on 7 November 2011.

**Draft determination**

A copy of the ACCC's draft determination is attached, including a summary of its reasons. For the reasons set out in its draft determination, the ACCC proposes to grant authorisation in substitution for 5 years, subject to conditions in relation to making forms available to training providers and agents who are not members of REIWA. The ACCC's assessment is set out in Chapter 4 of the draft determination, as are the proposed conditions.

**Next steps**

Once the ACCC issues a draft determination, REIWA or any interested party may make a submission and/or request that the ACCC convene a 'pre-decision conference'.

If you wish to make a written submission in response to the ACCC's draft determination please lodge your submission by **30 March 2012**.

A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion. If you wish the ACCC to hold a pre-decision conference in relation to the draft determination, you must notify the ACCC in writing by **30 March 2012**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications.

Submissions will be placed on the ACCC's public register subject to any request for exclusion (guidelines are attached).

**Timetable**

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

<b>7 November 2011</b>	Lodgement of application and supporting submission.
<b>14 November 2011</b>	Public consultation process begins.
<b>5 December 2011</b>	Closing date for submissions from interested parties.
<b>8 February 2012</b>	Applicant responds to issues raised in the public consultation process.
<b>16 March 2012</b>	Draft determination.
<b>30 March 2012</b>	Public consultation on draft determination including any conference if called.
<b>April/May 2012</b>	Final determination.

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 Imogen Hartcher-O'Brien on (02) 6243 1049.

Yours sincerely



Dr Richard Chadwick  
General Manager  
Adjudication Branch