



**Australian
Competition &
Consumer
Commission**

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

By email

Dear Sir/Madam

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). Attached is a summary of the authorisation process including how to make a submission to the ACCC.

REIWA sought revocation of authorisation A91026 and substitution of A91280 for the arrangements contained in its Articles of Association, Members' Codes of Practice, Auction Code of Conduct, Multiple Listing Service By-Laws and the arrangement to make available for use the Standard Exclusive Agency Agreements.

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

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

Interested parties – A91280– application for revocation and substitution - Real Estate Institute of Western Australia (Inc)

Council of Australian Governments

Department of Commerce, Western Australia

Mr Rossi

Real Estate Institute of Australia

West Coast Property Training