



Australian
Competition &
Consumer
Commission

Our Ref: N95781
Contact Officer: Shane Chisholm
Contact Number: (02) 6243 1036

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S April 2012

Marcus Ford
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Dear Mr Ford

Third line forcing notification N95781 lodged by BAP Holdings Victoria Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 23 March 2012. The notification has been placed on the ACCC's public register.

BAP Holdings Victoria Pty Ltd proposes to offer particular lots at the Paragon development in Point Cook, Victoria, to buyers on the condition that buyers enter into a contract with Burbank Australia Pty Ltd to construct a house on the lot.

Legal immunity conferred by the notification will commence on 6 April 2012. 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 BAP Holdings Victoria Pty Ltd and Burbank Australia Pty Ltd 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 Shane Chisholm on (02) 6243 1036.

Yours sincerely

Dr Richard Chadwick
General Manager
Adjudication Branch