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1 MAR 2013

PERTH

GLWB

legal

A division of
GLWB Pty Ltd
ABN 25 100 852 524

Incorporated Legal Practice

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28 February 2013

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

Dear Sir/Madam,

Notification of Exclusive Dealing

I enclose:

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

Should 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
Director
GLWB Pty Ltd

Form G

Commonwealth of Australia
Trade Practices Act 1974 ---- Sub-section 93(1)

**EXCLUSIVE DEALING
NOTIFICATION**

To the Australian Competition and Consumer Commission:

Notice is hereby given, in accordance with sub-section 93(1) of the *Competition and Consumer Act 2010*, of particulars of conduct or of proposed conduct of a kind referred to in sub-section 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 READ DIRECTIONS AND NOTICES ON BACK OF FORM)

1. Applicant

- a. Name of person giving notice
N96660 GLWB Pty Ltd (a related Alcock Brown-Neaves Group business).
Refer annexure A for further details on the ABN Group.
- b. Short description of business carried on by that person
Legal & conveyancing services
- 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
Newly constructed & completed dwellings (off the plan purchases) for Self-Managed Superannuation Funds (SMSF) using the Superbuild System (patent pending)
- b. Description of the conduct or proposed conduct
The supply of a "completed home" to a SMSF using a specific process (patent pending) as a package on the condition that the purchaser also uses the services of:
- Resolve Financial Services (mortgage broker) to source a self-managed superannuation fund loan product and
 - GLWB Pty Ltd trading as Axiom Conveyancing for conveyancing services for the purchase of the completed home
 - ABN Realty as the selling agent

Resolve Financial Services, GLWB Pty Ltd & ABN Realty are related Alcock Brown-Neaves Group businesses

The Superbuild system will fund either:

- i. the acquisition of an established home, on the condition that it be acquired through one of the ABN group of companies

or

- ii. the acquisition of an ‘off the plan’ purchase on the condition that the builder is one of the builders belonging to the ABN group of companies.

3. Persons, or classes of persons to which the conduct relates

- a. Class or classes of persons to which the conduct relates
SMSF Trustees that are looking to purchase a property via an “off the plan” purchase as a “new” home.

- b. Number of those persons
The numbers of affected persons are unknown at the present time and are difficult to predict within the next year. It is anticipated that the total number of persons will exceed 50.

4. Public benefit claims

- a. Arguments in support of notification
The proposed conduct will be of benefit to the public because:
 - i. the process provides the opportunity for a superannuation fund to borrow & purchase a new single residential home

- b. Facts and evidence relied on in support of these claims
The Superbuild system has been specifically designed to enable SMSF owners to access “new” single residential property within the constraints of legislation relating to borrowings under limited recourse borrowing arrangements.

5. Market definition

- a. Markets that are likely to be affected are the residential housing market in Western Australia and Victoria

6. Public detriment

- a. 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. We consider the proposed conduct will not lessen competition because:
 - (i) the retail property market is a well-developed, competitive market with many other properties which consumers may access;
 - (ii) the number of consumers potentially affected by the proposed conduct is immaterial compared to the total number of customers who acquire retail property ; and
 - (iii) customers will be fully informed about the full terms of the offer before taking up the offer.

7. Further information

Don Crellin
GLWB Legal Pty Ltd
Po Box 1602 Osborne Park WA 6916

Contact: donc@glwb.com.au
Mobile: 0400203889

Dated: 28 February 2013

Signed by/on behalf of the applicant



(Signature)

Donald William Crellin
GLWB Pty Ltd
Director

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Annexure A

The ABN Group

The ABN group of companies comprises the following residential builders & finance related companies:

- i. Homebuyers Centre;
- ii. Celebration Homes;
- iii. Dale Alcock Homes;
- iv. APG Homes;
- v. Webb & Brown-Neaves;
- vi. TR Homes;
- vii. Boutique Homes (VIC);
- viii. Homebuyers Centre (VIC).
- ix. Bluebay Finance Corporation Pty Ltd
- x. Resolve Financial Solutions
- xi. GLWB Pty Ltd t/as Axiom conveyancing
- xii. GLWB Legal
- xiii. Investor Assist
- xiv. PACT construction
- xv. ABN Realty