



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: 55786  
Contact Officer: Susan Philp  
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11 September 2014

Jason Westwood  
Commercial Procurement Manager  
Metro Trains Melbourne Pty Ltd

By e-mail: [Jason.westwood@metrotrains.com.au](mailto:Jason.westwood@metrotrains.com.au)

cc: [Simon.Uthmeyer@dlapiper.com](mailto:Simon.Uthmeyer@dlapiper.com) ; [alec.white@dlapiper.com](mailto:alec.white@dlapiper.com)

Dear Mr Westwood

### **Third line forcing notification N97774 lodged by Metro Trains Melbourne Pty Ltd**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 11 September 2014. The notification has been placed on the ACCC's public register.

Under the notified conduct Metro Trains Melbourne Pty Ltd (Metro Trains) will not acquire goods or services from contractors or suppliers unless they have obtained preapproval from PICS Auditing.

Preapproval involves an assessment of the degree to which the contractors and suppliers comply with the policies and procedures of Metro Trains, including in respect of policies concerning qualifications, licensing requirements and insurance.

Legal protection conferred by the notification will commence on 25 September 2014.

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 legal protection provided 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 Metro Trains and PICS Auditing will disclose all relevant terms and conditions to prospective contractors and suppliers.

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 Susan Philp on (02) 6243 1351.

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized initial 'R' followed by a long horizontal line.

Dr Richard Chadwick  
General Manager  
Adjudication Branch