



**Australian
Competition &
Consumer
Commission**

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21 May 2014

Dear Sir/Madam

**Mortgage and Finance Association of Australia (MFAA) application for authorisation
A91396 – Final determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a final determination in respect of the application for authorisation lodged by the MFAA on 18 November 2013.

The MFAA sought authorisation of the MFAA Disciplinary Rules. The Disciplinary Rules are part of the regime governing the conduct of MFAA members which also includes:

- the MFAA Constitution, which sets out the governance framework for the Association; and
- the MFAA Code of Practice, which outlines the standards to which members must adhere.

The Disciplinary Rules outline the processes for investigation of complaints, expulsion of members and appeals against refused applications for membership or accreditation that arise under the MFAA Constitution and the MFAA Code of Practice. They also provide for the establishment of the MFAA Tribunal which considers disciplinary allegations and membership refusals.

A copy of the ACCC's determination is attached, including a summary of its reasons. For the reasons set out in its determination, the ACCC has decided to grant authorisation until 12 June 2019.

Application for review

Pursuant to section 101 of the *Competition and Consumer Act 2010*, a person dissatisfied with this determination may apply to the Australian Competition Tribunal for its review. An application for review must be made within 21 days of the date of this determination; that is, on or before 11 June 2014. If no application to review is lodged by this date, the ACCC's determination will come into force on 12 June 2014.

An application for review of the ACCC's determination should be lodged directly with the Australian Competition Tribunal. The Australian Competition Tribunal is a separate body from the ACCC and is located within the Federal Court of Australia.

For further information about the process involved in reviewing decisions in the Australian Competition Tribunal please refer to the tribunal's website located at <http://www.competitiontribunal.gov.au/>.

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 Anna Giannakos on (03) 9290 6920 or at adjudication@acc.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Marie Dalins', is positioned above the typed name.

Marie Dalins
Director
Adjudication Branch