



Our ref: 61480
Contact officer: Saraj Bhullar
Contact phone: (03) 9290 1941

4/01/2017

Trent Taylor
Holding Redlich Lawyers
Level 1, 300 Queen Street
Brisbane QLD 4000

By email: Trent.taylor@holdingredlich.com.au

23 Marcus Clarke Street
Canberra ACT 2601

GPO Box 3131
Canberra ACT 2601

tel: (02) 6243 1111

fax: (02) 6243 1199

adjudication@acc.gov.au

www.accc.gov.au

Dear Mr Taylor

Third line forcing notification – N99533 – lodged by 12 Round Pty Ltd

I refer to the notification you lodged with the Australian Competition and Consumer Commission (the ACCC) on behalf of 12 Round Pty Ltd on 29 December 2016.

12 Round Pty Ltd (12 Round Fitness) proposes to require all current and future 12 Round Fitness franchisees to acquire certain products and services from approved suppliers.

The protection from legal action provided by the notification commences automatically 14 days after the lodgement date, unless the ACCC objects.

On the basis of the information that you have provided, and that 12 Round Fitness will disclose all relevant terms and conditions to franchisees, the ACCC does not object to the notification at this time.

If at any time circumstances change, or the ACCC receives further information, such that it is satisfied that the public benefits from the third line forcing conduct do not outweigh the public detriments, the ACCC may remove the protection provided by the notification.

I have also considered your request that the annexures accompanying the notification be excluded from the ACCC's public register.

As you are aware, the ACCC is generally required under section 95 of the *Competition and Consumer Act 2010* (the Act) to place documents provided to it in relation to a notification on the ACCC's public register. The Act provides that a person submitting a document in relation to a notification may request that the document or parts thereof be excluded from the public register by reason of the nature of certain information contained in the document.

As a person authorised to make a decision for and on behalf of the ACCC in relation to such a request, I advise that the annexures will not be placed on the public register.

The notification Form G, and this letter, have been placed on the ACCC's public register.

Should you have any queries in relation to this matter, please do not hesitate to contact Saraj Bhullar on 03 9290 1941.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'G Jones', with a stylized flourish at the end.

Gavin Jones
Director
Adjudication