

ACCC institutes legal action against Black and White Cabs

The Australian Competition and Consumer Commission has instituted legal proceedings in the Federal Court, Melbourne against Black and White Cabs Pty Ltd for allegedly engaging in third line forcing conduct in contravention of the *Trade Practices Act 1974*.

Black and White Cabs is a Brisbane based business that provides taxi network services to taxi operators. In 2009 Black and White Cabs is alleged to have included a clause in a number of operating agreements which required the taxi operators who sub-let a licence through Black and White Cabs to exclusively use the Cabcharge Eftpos System for processing electronic payments.

The ACCC alleges that Black and White Cabs engaged in third line forcing conduct and contravened section 47(1) of the *Trade Practices Act 1974*.

The ACCC is seeking:

- a declaration that Black and White Cabs contravened the *Trade Practices Act 1974*
- an injunction to restrain Black and White Cabs from engaging in third line forcing conduct in the future
- court order that Black and White Cabs send letters to all its affiliated taxi operators regarding the conduct
- the implementation of a trade practices compliance and training program
- penalties, and
- ACCC costs.

The matter has been filed in the Federal Court's Fast Track List and is listed for a scheduling conference in Melbourne on 22 September 2010 at 11 a.m.

Release # NR 162/10
Issued: 9th August 2010