

TRADE PRACTICES ACT 1974**VARIATION TO UNDERTAKING GIVEN TO THE AUSTRALIAN
COMPETITION AND CONSUMER COMMISSION FOR THE
PURPOSES OF SECTION 87B****BY****HARBIN PTY LTD)
(ACN 005 339 328)****BACKGROUND**

1. On 21 September 2004, the Australian Competition and Consumer Commission (ACCC), in accordance with section 87B of the Trade Practices Act 1974 (the TPA), accepted an Undertaking from Harbin Pty Ltd ACN 005 339 328 (**Harbin**), trading as Ray's Outdoors (**the Undertaking**).
2. In the Undertaking Harbin undertook, *inter alia*, to implement an upgraded trade practices compliance program (**the Compliance Program**), which contains an obligation for Harbin to cause annual audits (**the Audits**) of the Compliance Program to be carried out, starting from October 2005.
3. The Undertaking does not include a term or clause indicating a period of time for which Harbin should continue to cause the Audits to be carried out.
4. Harbin notes its compliance with the Undertaking for a period of 5 years, including compliance with its trade practices compliance program requirements.
5. In view of the length of time the Undertaking has been in place and the compliance noted in clause 4 above, Harbin seeks to vary the Undertaking to conclude its obligations pursuant to the Undertaking and requests this variation to the Undertaking.

COMMENCEMENT OF VARIATION OF UNDERTAKING

6. This variation comes into effect when
 - (i) the Variation is executed by Harbin; and
 - (ii) the ACCC consents to the Variation so executed.

VARIATION TO UNDERTAKING

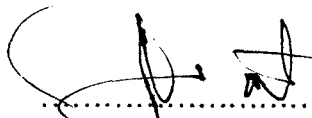
7. The following clause is to be inserted into the Undertaking, immediately after clause 9(d)(iv):
 - 9(e) it will maintain its upgraded trade practices compliance program for a period of five years.

ACKNOWLEDGEMENTS

8. Harbin acknowledges that the ACCC will make this variation available for public inspection.
9. Harbin further acknowledges that the ACCC may from time to time publicly refer to this variation.

IN WITNESS OF THIS VARIATION

Executed by **HARBIN PTY LTD**)
 (ACN 005 339 328) in accordance with section)
 127(1) of the *Corporations Act 2001* in the)
 presence of:)



.....
 Signature of Director

.....
 Signature of Director/Company Secretary

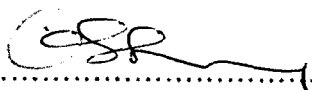
Ray Frost

Printed name of Director

.....
 Printed name of Director/Company Secretary

This 10 day of December 2009

This Variation offered by **HARBIN PTY LTD** (ACN 005 339 328) and consented to by the **AUSTRALIAN COMPETITION AND CONSUMER COMMISSION** pursuant to section 87B of the *Trade Practices Act 1974*.



 (Graeme Julian Samuel)
 Chairman
 Australian Competition and Consumer Commission

This 18th day of ~~December 2009~~ ^{January 2010}