



## COMMONWEALTH OF AUSTRALIA

N 70176

Trade Practices Act 1974 - Subsection 93 (1)

## Exclusive Dealing: - Notification

Form G

To the Australian Competition and Consumer Commission:

Notice is hereby given, in accordance with subsection 93 (1) of the Trade Practices Act 1974, of particulars of conduct or of proposed conduct of a kind referred to in subsection 47 (2), (3), (4) (5) (8) or (7), or paragraph 47 (8) (a), (b) or (c) or (9) (a), (b), (c) or (d), of that Act in which the person giving notice engages or proposes to engage.

(PLEASE READ DIRECTIONS AND NOTICE ON BACK OF FORM)

1. (a) Name of person giving notice:

WHITEGUM PETROLEUM Pty LTD TRADING AS PEAK PETROLEUM

(See Direction 2 on the back of this Form)

(b) Short description of business carried on by that person:

FUEL &amp; OIL COMPANY WITH SERVICE STATIONS

(c) Address in Australia for service of documents on that person:

PO Box 103, MIDLAND WA 6936

2. (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates:

UNLEADED, LRP AND DIESEL FUELS

(b) Description of the conduct or proposed conduct: SUPPLY DISCOUNT FUEL TO CUSTOMERS

PROVIDING CHECK OUT DOCKET FROM NEWMART SUPERMARKETS

(See Direction 4 on the back of this Form)

3. (a) Class or classes of persons to which the conduct relates: NEWMART SUPERMARKETS AND

PEAK SERVICE STATIONS

(b) Number of those persons -

(i) At present time 500

(ii) Estimated within the next year 2000

(c) Where number of persons stated in item 3 (b) (i) is less than 50, their names and addresses:

4. Name and address of person authorised by the person giving this notice to provide additional information in relation to this notice:

IAN WINN, 109 CHATTAU ST BELLEVUE WA 6016

Dated 23 May 2000

Signed by/on behalf of the person giving this notice

Signature

IAN WINN

Full Name

Commercial Manager

Description

DIRECTIONS

1. If there is insufficient space on this form for the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the person giving the notice.
2. If the notice is given by or on behalf of a corporation, the name of the corporation is to be inserted in Item 1(a), not the name of the person signing the notice, and the notice is to be signed by a person authorised by the corporation to do so.
3. In item 1(b), describe that part of the business of the person giving the notice in the course of which the conduct is engaged in.
4. If particulars of a condition or of a reason of the type referred to in subsection 47(2), (3), (4), (5), (6), (7), (8) or (9) of the *Trade Practices Act 1974* have been reduced in whole or in part to writing, a copy of the writing is to be provided with the notice.
5. In item 3(a), describe the nature of the business carried on by the persons referred to in that item.
6. In item 3(b)(ii), state an estimate of the highest number of persons with whom the person giving the notice is likely to deal in the course of engaging in the conduct at any time during the next year.

NOTICE

If this notice is in respect of conduct of a kind referred to in subsection 47(6) or (7), or paragraph 47(8)(c) or (9)(d), of the *Trade Practices Act 1974* ("the Act"), it comes into force at the end of the period prescribed for the purposes of subsection 93(7A) of the Act ("the prescribed period") unless the Commission gives a notice under subsection 93A(2) of the Act within the prescribed period, or this notification is withdrawn.

The prescribed period is 21 days (if this notification is given on or before 30 June 1996) or 14 days (if this notification is given after 30 June 1996), starting on the day when this notification is given.

If the Commission gives a notice under subsection 93A(2) of the Act within the prescribed period, this notification will not come into force unless the Commission, after completing the procedures in section 93A of the Act, decides not to give a notice under subsection 93(3A) of the Act. The notification comes into force when that decision is made.

If this notification is in respect of conduct of a kind referred to in subsection 47(2), (3), (4) or (5), or paragraph 47(8)(a) or (b) or (9)(a), (b) or (c), of the Act, it comes into force when it is given.

YES  NO   
26/6/00

ACCC  
23 MAY 2000  
PERTH