

COMMONWEALTH OF AUSTRALIA
Trade Practices Act 1974-Sub-section 93 (1)
**EXCLUSIVE DEALING:
NOTIFICATION**

D00/33807



RAC0006R2D

To the Australian Competition and Consumer Commission:

Notice is hereby given, in accordance with sub-section 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), (6) 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.

1 (a) Name of person giving notice:

DUNCAN AUTOS PTY LTD (ACN 093 664 192)

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

Retail sales and service of automobiles. Supply of auto parts. Trading as Duncan Autos.

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

Hamish Williams 284 Aberdeen Street, Perth WA 6000.

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

Various retail goods and services in the category of retail sales and service of automobiles. Supply of auto parts. Membership of the Royal Automobile Club of Western Australia

(b) Description of the conduct or proposed conduct

Under the RAC Reward & Recognition Program, where a person is a member of The Royal Automobile Club of Western Australia (inc) ("the RAC"), he or she will be given an RAC member card, and that card may be presented by the RAC member to third parties known as the Retail Partners or related companies of the RAC. The person giving this notice is a Retail Partner. The Retail Partners will:

- (1) supply or offer to supply;
- (2) supply or offer to supply at a particular price; or
- (3) give or allow, or offer to give or allow, a discount, allowance, rebate or credit in relation to the supply of, other goods or services to the person on condition that the person will become an RAC member or has acquired RAC membership; and / or

The Retail Partners may refuse to:

- (1) supply or offer to supply goods or services;
- (2) supply or offer to supply at a particular price; or
- (3) give or allow, or offer to give or allow, a discount, allowance, rebate or credit in relation to the supply of, other goods or services to the person unless or on condition that the person will become an RAC member or has acquired RAC membership.

3 (a) Class or classes of persons to which the conduct relates: RAC members

(b) Number of those persons?

- | | | |
|------|--------------------------------|---------|
| (i) | At present time | 408,900 |
| (ii) | Estimated within the next year | 412,785 |

(c) Where number of persons stated in item 3 (b) (i) is less than 50, their names and addresses: Not Applicable

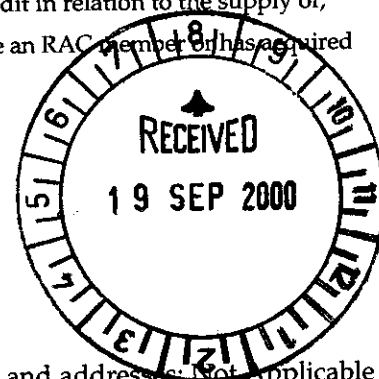
4 Name and address of person authorized by the person giving this notice to provide additional information in relation to this notice Peter Birch c/- of RAC 228 Adelaide Terrace Perth WA 6000

Dated

14 September 2000

Signed by/on behalf of the person giving this notice

PETER JOHN BIRCH



ACCC

15 SEP 2000

PERTH

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 notification 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.