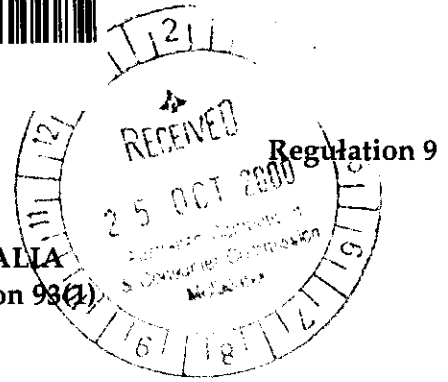




**FORM G**  
**[Front of Form]**  
**COMMONWEALTH OF AUSTRALIA**  
**Trade Practices Act 1974 – Sub-section 93(1)**  
**EXCLUSIVE DEALING**  
**NOTIFICATION**



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 sub-section 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 engaged or proposes to engage.

(PLEASE READ DIRECTIONS AND NOTICE ON BACK OF FORM)

1. (a) **Name of person giving notice.**

Nationwide News Pty Ltd

ABN 98 008 438 828

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

Publisher and distributor of newspapers

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

Tony Prowse, Director: Newsagency Industry Restructure  
 News Limited  
 HWT Tower, 40 City Road  
 SOUTHBANK VIC 3006

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

See attached submission

(b) **Description of the conduct or proposed conduct**

See attached submission

3. (a) **Class or classes or persons to which the conduct relates:**

Distribution agents as set out in the attached submission.

(b) **Number of those persons.**

(i) **At present time: about 1,300**

(ii) **Estimated within the next year: about 1,300**

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

Not applicable

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

Tony Prowse  
Director: Newsagency Industry  
Restructure  
News Limited  
HWT Tower  
40 City Road  
SOUTHBANK VIC 3006

Dated

*25/10/2000*

Signed by/on behalf of the applicant giving  
this Notice

*Tony Prowse*

TONY PROWSE  
Director: Newsagency Industry Restructure  
News Limited



## TRADE PRACTICES REGULATIONS

[Back of Form]

### 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 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.

Attachment to notification in respect of home delivery fees.

This notification is related to the notification of the same date referring to the territorial distribution agency agreement ("TDAA").

The notifying party has previously notified the ACCC of certain transitional arrangements which it has implemented with newsagents, including the setting by it of a maximum home delivery fee which may be charged by newsagents for delivery of publications of the notifying party and as part of the same home delivery service, for the home delivery of other publications which were the subject of a maximum home delivery charge under the old authorised system.

The current notification applies to the new arrangements which will run from 1 February 2001 in respect of this same subject matter with its distribution agents under the TDAA. The relevant provision is set out in clause 4.3 of the Agreement Particulars, which is attachment "B" to the TDAA.

As indicated expressly in clause 4.4 of Agreement Particulars, the notifying party will review the amount of the home delivery charges on or about 1 July 2001. This review is in addition to such other reviews as the notifying party may undertake from time to time during the term of the TDAA.

It is submitted that the arrangement will not, and will not be likely to, substantially lessen competition in any relevant market as there will be substantial product and distribution competition from other publishers and distributors of other publications which might be covered by the clause. There is significant public benefit from the conduct by limiting the fees payable by home delivery customers, which outweighs any public detriment.