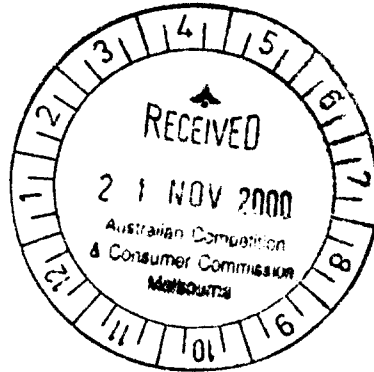


# Mallesons Stephen Jaques

SOLICITORS

Regional Director  
Australian Competition and  
Consumer Commission  
Level 35, The Tower  
360 Elizabeth Street  
Melbourne Centre  
Melbourne Vic 3000



21 November 2000

Dear Sir/Madam

**National Australia Bank Limited - Notification of Third Line Forcing  
Exclusive Dealing**

We act for National Australia Bank Limited.

We enclose for lodgement 3 exclusive dealing notifications together with a cheque for the applicable lodgement fee of \$1,400.00. We also advise that another related notification is expected to be lodged shortly. We request that the notification be treated as part of the same lodgment.

Please do not hesitate to contact Rochelle Werba of this office on (03) 9643 4447 should you have any queries or comments.

Yours faithfully

*Mallesons Stephen Jaques*

Encls.

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FILE No.
ENTITY
DMAN 000/39013

**COMMONWEALTH OF AUSTRALIA**  
**TRADE PRACTICES ACT 1974 - Subsection 93(1)**  
**EXCLUSIVE DEALING: NOTIFICATION**

**TO THE AUSTRALIAN COMPETITION & 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(6) or (7) of that Act in which the person giving notice engaged or proposes to engage.

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

Pacific Automotive Pty Ltd (ACN 000 091 930) ("**Pacific Automotive**").

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

Pacific Automotive is a supplier of and distribution centre for automotive supplies and services, including goods and services in connection with motor vehicle maintenance and repairs.

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

C/- Amanda Bodger  
Mallesons Stephen Jaques  
Level 28, Rialto  
525 Collins Street  
Melbourne Vic 3000

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

Supply of automotive goods and services including goods and services in connection with motor vehicle maintenance and repairs ("**Pacific Automotive Services**").

Products and services supplied by the National Australia Bank Limited (ABN 12 004 044 937) ("**National**") including banking services, products and systems; transaction accounts, credit and debit accounts, credit cards and debit cards, transaction and processing services and other credit and debit card related services ("**National Card Products**").

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

Pacific Automotive and the National propose to enter into arrangements pursuant to which Pacific Automotive proposes to:

- (a) supply or offer to supply a Pacific Automotive Service on the condition that the customer also acquires or has acquired one or more National Card Products from the National, and uses the National Card Product(s) to purchase the Pacific Automotive Service; or
- (b) refuse to supply or refuse to offer to supply a Pacific Automotive Service for the reason that that the customer has not acquired or has not agreed to acquire one or more National Card Products from the National or is not

using the National Card Product(s) to purchase the Pacific Automotive Service; or

- (c) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Pacific Automotive Service on the condition that the customer also acquires or has acquired one or more National Card Products from the National, and uses the National Card Product(s) to purchase the Pacific Automotive Service.

**Examples of the proposed conduct are set out below**

Pacific Automotive proposes to offer discounts on the standard rates for goods and services in connection with the repair and maintenance of motor vehicles, where the goods and services are purchased by customers using a National Card Product(s).

The proposed conduct will be of benefit to the public as it will:

- reduce costs of business customers who may be otherwise unable to negotiate discounts or other benefits in relation to Pacific Automotive Services on their own behalf;
- promote competition in the relevant markets by encouraging competitors to offer similar value added services;
- provide businesses and individual consumers with the opportunity to obtain Pacific Automotive Services at discounted rates or with additional inclusions;
- provide businesses and individual consumers with an opportunity to access a wider range of efficient business related services; and
- provide businesses and individual consumers with greater convenience in dealing with Pacific Automotive and the National.

The proposed conduct will not lessen competition in the markets for the relevant products and services as:

- competition in the automotive supplies and services and banking markets is vigorous and there are many competitors;
- the number of consumers potentially affected by the proposed conduct is insignificant compared to the total number of consumers who acquire banking services including credit and debit card facilities and automotive supplies and services;
- consumers will be able to acquire the Pacific Automotive Services at the usual price without acquiring any services from the National and vice versa; and
- consumers may acquire the relevant products and services from a range of other suppliers.

The applicant believes that the benefits from the proposed conduct outlined above will outweigh any possible detriment considered to arise from the conduct.

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

The public generally.

**(b) Number of those persons**

Not applicable

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

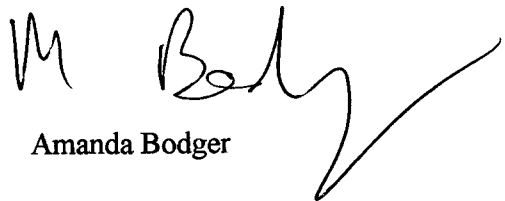
Not applicable

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

Amanda Bodger  
Mallesons Stephen Jaques  
Level 28, Rialto  
525 Collins Street  
Melbourne Vic 3000

Dated: 21-11-2000

Signed on behalf of the person giving this notice:

A handwritten signature in black ink, appearing to read 'M Bodger', with a long, sweeping horizontal stroke extending to the right.

Amanda Bodger

Solicitor