



21.06.01.



Australian Competition and Consumer Commission.  
Level 6,  
CBA Building,  
Flinders Mall,  
Townsville,  
QLD. 4814.

Dear Sir/Madam,

RE: Exclusive Dealing Notification – Malpass Enterprises Pty Ltd.

Please find attached for your consideration a "Form G" and attachment relating to exclusive dealing notification proposed for our retail fuel sites located at Ayr and Home Hill, Queensland. If you require any further information relating to this proposal, please contact the writer on the phone number or at the address listed in this letter.

Your sincerely,

Russell Adams.  
General Manager.

N50125

### Form G

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 engages or proposes to engage.

(PLEASE READ DIRECTIONS AND NOTICES ON BACK OF FORM)

1. (a) Name of person giving notice... MALPASS ENTERPRISES PTY LTD.

(See Direction 2 on the back of this form)

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

RETAIL PETROLIUM.

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

P.O. BOX G.E. 162  
GARBUTT EAST, QLD. 4814.

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

FUEL.

(b) Description of the conduct or proposed conduct

OFFER OF A DISCOUNT. (REFER ATTACHMENTS)

(See Direction 4 on the back of this Form)

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

CUSTOMERS OF MALPASS ENTERPRISES PTY LTD.

(b) Number of those persons--

(i) At present time 2,000

(ii) Estimated within the next year 2,000

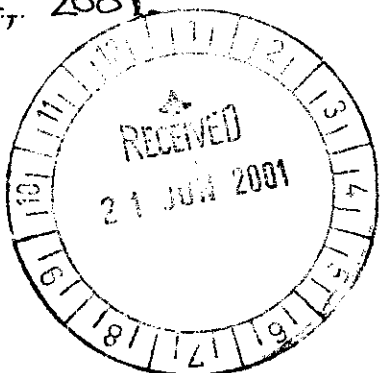
(c) Where number of persons stated in item 3 (b) (i) is less than 50, their names and addresses

REFER ABOVE.

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

RUSSELL ADAMS  
PO. BOX G.E. 162  
GARBUTT EAST, Q. 4814.

Dated 20TH JUNE, 2001



Signed by/on behalf of the applicant giving notice

R Adams

(Signature)

RUSSELL MARK ADAMS

(Full Name)

GENERAL MANAGER.

(Description)

## Attachment to Form G – Exclusive dealing Notification.

### Question 2 (b).

Malpass Enterprises Pty Ltd, propose to enter into a promotion whereby customers of Farrys IGA Supermarket, Home Hill will be rewarded with a fuel discount of 2cpl or 4 cpl (dependent on the value of the purchase), when they present a voucher at Malpass operated Service Stations located at Home Hill and Ayr. The promotion serves to create a loyalty program for both retailers, which in turn will reward the customer for their retail expenditure.

### Question 3 (b) (ii)

Malpass Enterprises Pty Ltd anticipate that the proposed conduct will affect all existing retail customers of Malpass Enterprises Pty Ltd in Home Hill and Ayr, who are not currently shopping at Farrys IGA Supermarket. As this company has no way of ascertaining the percentage of our customers, who are already customers of Farrys, it has been assumed that this promotion will potentially relate to all customers of Malpass Enterprises Pty Ltd who are currently patronizing the two Service Station locations. The figure arrived at is approximately 2,000 customers.

R. Cole  
21/06/01