

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 proposes to engage.

1. (a) Name of person giving notice:

Bundaberg Sugar Ltd (ACN 077 102 526)

CSR Limited (ACN 000 001 276)

Mackay Sugar Co-operative Association Limited (ARBN 057 463 671)

Mossman Central Mill Company Limited (ACN 009 657 103)

The Mulgrave Central Mill Company Limited (ACN 009 657 032)

Tully Sugar Limited (ACN 011 030 256)

**Proserpine Co-operative Sugar Milling Association Ltd
(ARBN 080 866 539)**

Isis Central Sugar Mill Company Limited (ACN 009 657 078)

The Maryborough Sugar Factory Limited (ACN 009 658 708)

WH Heck & Sons Proprietary Limited (ACN 009 661 401)

(referred to as 'the Notifier');

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

Milling of sugar cane and manufacture of raw sugar;

- (c) Address in Australia for service of documents on that person:
- c/- Margaret Brown
Minter Ellison
Lawyers
Waterfront Place
1 Eagle Street
BRISBANE QLD 4000;
2. (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates:
- (i) Supply of work opportunities to contractors; and
- (ii) Acquisition of generic induction training for contractors;
- (b) Description of the conduct or proposed conduct:
- Requirement that contractors obtain specified generic induction training from licensed training providers in order to be contracted to perform work for the Notifier, pursuant to the Queensland Sugar Milling Generic Induction Program (copy annexed hereto);
3. (a) Class or classes of persons to which the conduct relates:
- Contractors wishing to obtain contracts for work from the Notifier;
- (b) Number of those persons-
- (i) At present time:
- 100 - 400 per mill
- The exact figure varies from mill to mill and year to year. For example, the figures of one of the mills owned by Mackay Sugar Co-operative Association Limited are:
- 1997: ~ 130
1998: ~130
1999: ~ 457
2000: ~ 270
2001: ~106 so far;
- (ii) Estimated within the next year:
- 100 - 400 per mill
- (c) Where number of persons stated in item 3(b)(i) is less than 50, their names and addresses:
- N/A;

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

c/- Margaret Brown
Minter Ellison
Lawyers
Waterfront Place
1 Eagle Street
BRISBANE QLD 4000.

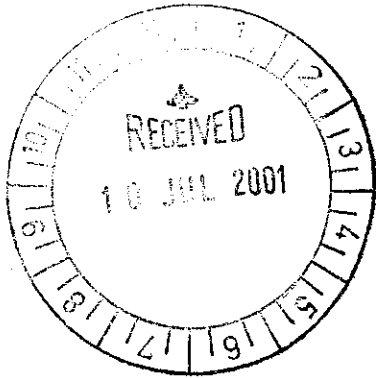
DATED *4th July*, 2001

SIGNED by/on behalf of the applicant

Margaret Brown
.....
(Signature)

MARGARET BROWN
.....
(Full Name)

SOLICITOR
.....
(Description)



DIRECTIONS

1. Where there is insufficient space on this form to furnish 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 sub-section 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 sub-section 47(6) or (7) or paragraph 47(8)(c) or (9)(d) of the *Trade Practice Act 1974* ('the Act'), it comes into force at the end of the period prescribed for the purposes of sub-section 93(7A) of the Act ('the prescribed period') unless the Commission gives a notice under sub-section 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 sub-section 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 sub-section 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 sub-section 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.