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MARS/PRISM:

18 November 2002

Mr. Jamie Nettleton  
Coudert Brothers  
Solicitors and International Attorneys  
Level 8, Gateway  
1 Macquarie Place  
Sydney NSW 2000

Dear Sir

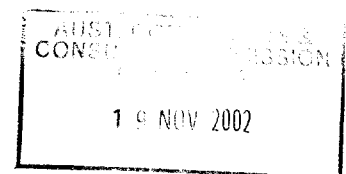
**Holsten Promotion  
Trade Practices Act 1974 – Exclusive Dealing Notification**

Please find attached our signed Exclusive Dealing Notification in respect of the Holsten promotion we are conducting in concert with Emap Pty Limited (trading as FHM) and Liquorland (Australia) Pty Limited (trading as Vintage Cellars).

We understand that you will be lodging this notification with the ACCC on our behalf. Thank you for your assistance in this matter.

Yours sincerely  
McWilliams Wines Pty Limited

Jim Xegas  
Assistant Company Secretary



**MCWILLIAM'S WINES**

MCWILLIAM'S WINES PTY LTD ACN 000 024 108  
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## 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.

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

McWilliams Wines Pty Limited (ACN 000 024 108) which is a proprietary company which specialises in winemaking and Australian distribution of various international alcohol beverages ("McWilliams"). McWilliams' head office is located at Greenacre NSW.

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

McWilliams is a winemaking company which also distributes various international alcohol beverages in Australia.

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

C/- Jamie Nettleton  
COUDERT BROTHERS  
Solicitors and International Attorneys  
Level 8, Gateway  
1 Macquarie Place  
Sydney NSW 2000 Australia

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

McWilliams is the sole Australian agent/distributor for the German beer Holsten.

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

McWilliams proposes to enter into arrangements with Emap Australia Pty Limited ("Emap") and Liquorland (Australia) Pty Limited trading as Vintage Cellars ("Vintage") under which McWilliams proposes to:

- (a) offer to give a consumer a 330ml Holsten beer at no charge when the consumer presents to Vintage the coupon for such promotion acquired from Emap's FHM magazine ("FHM"); and

- (b) offer to give a consumer a 15% discount off of a 6-pack of Holsten beer when the consumer presents to Vintage the coupon for such promotion acquired from FHM.

**The proposed conduct**

McWilliams proposes to give the consumer a Holsten beer at no charge when the consumer presents the coupon for such promotion to Vintage; McWilliams proposes to give a consumer a 15% discount off of a 6-pack of Holsten beer when the consumer presents the coupon for such promotion to Vintage.

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

- promote competition amongst distributors involved in distributing alcohol beverages; and
- promote competition amongst retail operators involved in retailing alcohol beverages and magazine publishers.

The proposed conduct will not lessen competition in the retail industry as:

- the Australian retail industries are very competitive;
- it is not unusual practice for a distributor of alcohol beverages to engage in promotions involving discounts or special offers on products from time to time;
- the proposed conduct is for a limited duration and the number of consumers who are potentially affected by the proposed conduct is negligible as consumers may obtain other added benefits/extras offered by other distributors of alcohol beverages and retail outlets and operators throughout Australia; and
- consumers may still purchase Holsten beer and use Vintage's retail services at the usual price without presenting the FHM coupon.

McWilliams believes that the benefits from the proposed conduct will outweigh any possible detriment that may arise from the conduct.

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

The public generally, though limited to persons age 18 and older. The offer is not valid in the Northern Territory.

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

Not applicable.

**(i) At present time**

Not applicable.

**(ii) Estimated within the next year**

Not applicable.

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

Not applicable.

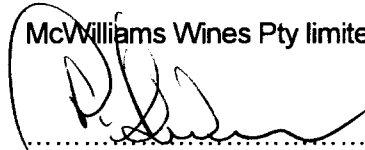
4. Names and address of person authorised by the person giving this notice to provide additional information in relation to this notice

Jamie Nettleton  
COUDERT BROTHERS  
Solicitors and International Attorneys  
Level 8, Gateway  
1 Macquarie Place  
Sydney NSW 2000 Australia

Dated: 18 November 2002

Signed by/on behalf of the applicant giving notice

McWilliams Wines Pty limited



Philip Skinner  
Company Secretary