



**Australian Competition & Consumer Commission**

Our Ref: C2002/1600  
Contact Officer: Mark Fitt  
Contact Number: (02) 6243 1217

PO Box 1199  
Dickson ACT 2602  
470 Northbourne Ave  
Dickson ACT 2602  
Australia  
Ph (02) 6243 1111  
Fax (02) 6243 1199

11 November 2002

Mr Gary Ross  
Fuel & Property Manager  
MISTEARL Pty Ltd  
2 Pickwick Street  
CANNON HILL QLD 4170

Dear Mr Ross

**Trade Practices Act 1974  
Notifications of Exclusive Dealing – Third Line Forcing- lodged by  
MISTEARL Pty Ltd, (N91047)**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the Commission) on 5 November 2002.

You have described the conduct as involving the provision of discounted petrol on the condition that customers have a receipt to prove they have purchased a required amount of groceries from a supermarket. Legal immunity provided by the notification will come into force on 19 November 2002.

On the basis of the information that you have provided, it is not intended that further action be taken in this matter at this stage.

Please note that the Commission may act to remove the immunity afforded by this notification at a later stage if it is satisfied that the likely benefit to the public from the conduct will not outweigh the likely detriment to the public from the conduct.

This letter has been placed on the Commission's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Mark Fitt on (02) 6243 1217.

Yours sincerely

Tim Grimwade  
General Manager  
Adjudication Branch



---

## **FACSIMILE TRANSMISSION**

**DATE:** 11.11.2002

**TO:** **Mr Gary Ross**  
**Fuel and Property Manager**

**ORGANISATION:** MISTEARL Pty Ltd  
2 Pickwick Street  
CANNON HILL QLD 4170

**FAX:** (07) 3399 8049

**FROM:** **Mark Fitt**

**TEL:** 02 6243 1217

**FAX:** 02 6243 1211

**NO. OF PAGES:** 2  
(including this page)

---

This transmission is intended solely for the addressee and may contain confidential or privileged information; the disclosure, copying or use of any part other than by the addressee is unauthorised. If you received this transmission in error, please telephone the sender on the above number. If you do not receive all pages or have any trouble receiving, also call the sender.

---

**Message:**

Attention: Mr Ross, please find attached a letter from Mr Tim Grimwade, General Manager of the Adjudication Branch, ACCC, regarding your application for Notification of the business Mistearl Pty Ltd.

Regards

Mark Fitt on (02) 6243 1217

**\*\*\* TRANSMISSION REPORT \*\*\***

SID : ADJUDICATION ACCC

Number : 02 62431211

Date : 12-11-02 09:14

Date/Time	12-11 9:13
Dialled number	00733998049
Subscriber	61 07 33998049
Durat.	0' 37"
Mode	NORMAL
Pages	2
Status	Correct

**1 Australian  
Competition &  
Consumer  
Commission**

Telephone: (02) 6243 1111

Fax: (02) 6243 1199  
(02) 6243 1936

**FACSIMILE TRANSMISSION**

DATE: 11.11.2002  
TO: Mr Gary Ross  
Fuel and Property Manager  
ORGANISATION: MISTEARL Pty Ltd  
2 Pickwick Street  
CANNON HILL QLD 4170  
FAX: (07) 3399 8049  
FROM: Mark Fitt  
TEL: 02 6243 1217  
FAX: 02 6243 1211  
NO. OF PAGES: 2  
(including this page)

This transmission is intended solely for the addressee and may contain confidential or privileged information; the disclosure, copying or use of any part other than by the addressee is unauthorised. If you received this transmission in error, please telephone the sender on the above number. If you do not receive all pages or have any trouble receiving, also call the sender.

**Message:**

Attention: Mr Ross, please find attached a letter from Mr Tim Grimwade, General Manager of the Adjudication Branch, ACCC, regarding your application for Notification of the business Mistearl Pty Ltd.

Regards

Mark Fitt on (02) 6243 1217

470 Northbourne Avenue, Dickson ACT 2602

PO Box 1199 Dickson ACT 2602 AUSTRALIA