



Norvac Pty Ltd

Mobil Distributor Tasmania ABN 11 009 565 995



FILE No:	
DOC:	003/40734
MARS/PRISM:	18524

20 October 2003

Mr Tim Grimwade
General Manager
Adjudication Commissioner
Australian Competition & Consumer
Commission
470 Northbourne Avenue
DICKSON 2602

Dear Sir

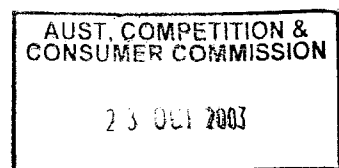
Please find enclosed section 93 (1) notices on behalf of Norvac Pty Ltd executed by us in relation to twelve of our sites. These are regarding a promotion with Coles Supermarkets in Tasmania and is similar to the promotion run by Mobil Oil Australia Pty Ltd and Coles since February 1998.

Also enclosed is a submission concerning the above promotion together with our cheque for \$1,200 being the lodgment fee payable to the Commission by us.

Should you have any queries, please contact me on 03 6228 8714.

Yours faithfully

Stas Tsaloukis
General Manager



HOBART

P.O. Box 287
Moonah Tas 7009
Ph: (03) 6278 1711
Fax: (03) 6228 4427

LAUNCESTON

P.O. Box 588
Launceston Tas 7250
Ph: (03) 6331 6877
Fax: (03) 6331 6725

ULVERSTONE

P.O. Box 3189
Ulverstone Tas 7315
Ph: (03) 6425 4333
Fax: (03) 6425 4133

SUBMISSION by NORVAC PTY LTD
For a fuel discount proposal

1. Introduction

Norvac Pty Ltd (Norvac) in its own right proposes to offer a discount (proposed at 2c per litre) on petrol supplied to consumers who purchase \$30 or more worth of goods or services from any Coles supermarkets in Tasmania (the Proposal). This discount will be given upon presentation of a Coles supermarket docket and will apply to the first 100 litres of petrol purchased by the consumer on each occasion.

2. Competition Assessment

Norvac does not consider there to be any anti-competitive detriment likely to result from the Proposal, and indeed anticipates increased competitive pressure on its rivals following its implementation. More specifically:

- (a) While the Proposal is a new initiative for Norvac, the concept of discounted petrol on the terms and conditions described above is a current practice in the market place. In this respect, Norvac is proposing to engage in conduct which competes more directly with the conduct of its rivals;
- (b) It follows that the purpose behind the implementation of the program is not anti-competitive, but rather pro-competitive. Moreover, it is not aimed at disadvantaging any particular competitor in the market place in the sense of misuse of market power, not that Norvac holds the requisite market power in the relevant markets to raise concerns of this kind; and
- (c) It will remain the case that consumers not wishing to participate in the promotion will be able to purchase petrol from Norvac service stations, albeit without the advantage of the proposed discount. Moreover, no consumer will be precluded from participating in other similar promotions by virtue of their participation in the proposed arrangements.

3. Public Benefits

In addition to the public benefits mentioned above, the following benefits are relevant to the Commission's consideration in this matter:

- (a) Where consumers choose to accept the proposed discount offer, they will benefit by obtaining fuel at a lower cost;
- (b) The conduct will not be detrimental to competition as Norvac retains its autonomy and freedom to sell petrol and other fuel products on whatever terms it individually considers appropriate;

- (c) Competition amongst sellers of petrol and other fuels will be enhanced by this initiative which places Norvac in a better position to attract custom which might otherwise have been attracted to similar schemes provided by its competitors; and
- (d) In the sense that the Proposal is a competitive response by Norvac its implementation will constitute an efficiency enhancing development for the benefit of petrol consumers initially, and for the Tasmanian economy as a whole over time.

List of participating Norvac sites

Mobil City Service Centre
Mobil Sandy Bay
Mobil Wentworth
Mobil Tasman
Mobil Bridgewater
Mobil Lutana
Mobil York Park
Mobil Burnie
Mobil Best Street
Mobil Dodges Ferry
Mobil Sheffield
Mobil Shearwater

Norvac Pty Ltd
30 September 2003

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 engaged or proposes to engage.

(PLEASE READ DIRECTIONS AND NOTICE ON BACK OF FORM)

1. (a) Name of person giving notice:

Norvac Pty Ltd
ABN 11 009 565 995

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

Retail sale of petrol

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

149 Sandy Bay Road, Sandy Bay. 7005

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

Supply of petrol by the person giving the notice and of products by participating Coles Supermarkets ("Participating Stores")

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

Supplying petrol or offering to supply petrol, giving or allowing, or offering to give or allow, a discount in relation to the supply or proposed supply of petrol on the condition that the person supplied or offered supply will acquire goods, or has acquired goods, of not less than a nominated value from Participating Stores, and refusing to give or allow a discount in relation to the supply of petrol to persons for the reason that they have not acquired, or have not agreed to acquire goods of not less than a nominated value from Participating Stores.

(See Direction 4 on the back of this Form)

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

The person giving the notice, the Participating Stores and all retail customers and all potential customers of the person giving the notice, and the Participating Stores, wishing to purchase products from the Participating Stores and/or petrol from the person giving the notice.

(b) Number of those persons:

(i) At the present time:

All potential customers of the person giving the notice and the Participating Stores.

(ii) Estimated within the next year:

Unknown, but more than 50.

(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.

Dobson Mitchell & Allport,
Solicitors
Harrington Street,
Hobart 7000

Dated 30th September, 2003.

Signed by/on behalf of the person giving this notice


.....
(Signature)

ANASTASIOS TOLANAKIS
.....
(Full Name)

GENERAL MANAGER
.....
(Description)

FORM G

COMMONWEALTH OF AUSTRALIA

*Trade Practices Act 1974 - Sub-section 93(1)***EXCLUSIVE DEALING
NOTIFICATION**

To the Australian Competition and Consumer Commission:

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(PLEASE READ DIRECTIONS AND NOTICE ON BACK OF FORM)

1. (a) Name of person giving notice:

Norvac Pty Ltd
ABN 11 009 565 995

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

Retail sale of petrol

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

Greenpoint Road, Bridgewater. 7030

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

Supply of petrol by the person giving the notice and of products by participating Coles Supermarkets ("Participating Stores")

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

Supplying petrol or offering to supply petrol, giving or allowing, or offering to give or allow, a discount in relation to the supply or proposed supply of petrol on the condition that the person supplied or offered supply will acquire goods, or has acquired goods, of not less than a nominated value from Participating Stores, and refusing to give or allow a discount in relation to the supply of petrol to persons for the reason that they have not acquired, or have not agreed to acquire goods of not less than a nominated value from Participating Stores.

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(ii) Estimated within the next year:

Unknown, but more than 50.

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Not applicable

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

Dobson Mitchell & Allport
Solicitors
Harrington Street
Hobart 7000

Dated 30TH SEPTEMBER....., 2003.

Signed by/on behalf of the person giving this notice


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(Signature)

ANASTASIOS TSIPOUKIS
.....
(Full Name)

GENERAL MANAGER
.....
(Description)

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(PLEASE READ DIRECTIONS AND NOTICE ON BACK OF FORM)

1. (a) Name of person giving notice:

Norvac Pty Ltd
ABN 11 009 565 995

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

Retail sale of petrol

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

Cnr Best & William Streets, Devonport. 7310

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

Supply of petrol by the person giving the notice and of products by participating Coles Supermarkets ("Participating Stores")

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

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Solicitors
Harrington Street
Hobart 7000

Dated 30TH SEPTEMBER, 2003.

Signed by/on behalf of the person giving this notice


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(Signature)

ANASTASIOS TSAPOKIS
.....
(Full Name)

GENERAL MANAGER
.....
(Description)

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(PLEASE READ DIRECTIONS AND NOTICE ON BACK OF FORM)

1. (a) Name of person giving notice:

Norvac Pty Ltd
ABN 11 009 565 995

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

Retail sale of petrol

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

69 Argyle Street, Hobart. 7000

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

Supply of petrol by the person giving the notice and of products by participating Coles Supermarkets ("Participating Stores")

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

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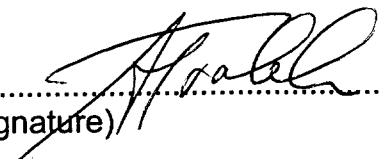
Not applicable

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Dobson Mitchell & Allport
Solicitors
Harrington Street
Hobart 7000

Dated 30th SEPTEMBER, 2003.

Signed by/on behalf of the person giving this notice


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(Signature)

ANASTASIOS TSAKOURIS
.....
(Full Name)

GENERAL MANAGER
.....
(Description) POSITION

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Norvac Pty Ltd
ABN 11 009 565 995

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

Retail sale of petrol

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

Old Forcett Road, Dodges Ferry. 7173

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Not applicable

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Norvac Pty Ltd
ABN 11 009 565 995

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

Retail sale of petrol

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

Cnr Ladbrooke & Mount Streets, Burnie. 7320

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

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Dated 30TH SEPTEMBER....., 2003.

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(Signature)

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(Full Name)

GENERAL MANAGER
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(Description)

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(PLEASE READ DIRECTIONS AND NOTICE ON BACK OF FORM)

1. (a) Name of person giving notice:

Norvac Pty Ltd
ABN 11 009 565 995

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

Retail sale of petrol

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

409 Brooker Highway, Lutana. 7009

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

Supply of petrol by the person giving the notice and of products by participating Coles Supermarkets ("Participating Stores")

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

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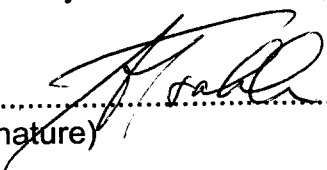
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Harrington Street
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Norvac Pty Ltd
ABN 11 009 565 995

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

Retail sale of petrol

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

100 Alexander Street, Shearwater. 7310

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Supply of petrol by the person giving the notice and of products by participating Coles Supermarkets ("Participating Stores")

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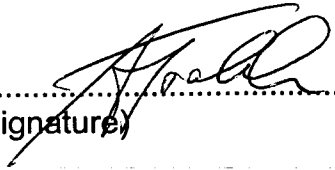
Not applicable

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

Dobson Mitchell & Allport
Solicitors
Harrington Street
Hobart 7000

Dated 30th SEPTEMBER, 2003.

Signed by/on behalf of the person giving this notice


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(Signature)

ANASTASIOS TSMOKIS
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(Full Name)

GENERAL MANAGER
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Norvac Pty Ltd
ABN 11 009 565 995

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

Retail sale of petrol

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

Main Street, Sheffield. 7306

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

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Not applicable

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Dobson Mitchell & Allport
Solicitors
Harrington Street
Hobart 7000

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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 engaged or proposes to engage.

(PLEASE READ DIRECTIONS AND NOTICE ON BACK OF FORM)

1. (a) Name of person giving notice:

Norvac Pty Ltd
ABN 11 009 565 995

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

Retail sale of petrol

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

2 Rosny Hill Road, Bellerive. 7018

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

Supply of petrol by the person giving the notice and of products by participating Coles Supermarkets ("Participating Stores")

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

Supplying petrol or offering to supply petrol, giving or allowing, or offering to give or allow, a discount in relation to the supply or proposed supply of petrol on the condition that the person supplied or offered supply will acquire goods, or has acquired goods, of not less than a nominated value from Participating Stores, and refusing to give or allow a discount in relation to the supply of petrol to persons for the reason that they have not acquired, or have not agreed to acquire goods of not less than a nominated value from Participating Stores.

(See Direction 4 on the back of this Form)

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

The person giving the notice, the Participating Stores and all retail customers and all potential customers of the person giving the notice, and the Participating Stores, wishing to purchase products from the Participating Stores and/or petrol from the person giving the notice.

(b) Number of those persons:

(i) At the present time:

All potential customers of the person giving the notice and the Participating Stores.

(ii) Estimated within the next year:

Unknown, but more than 50.

(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:

Dobson Mitchell & Allport
Solicitors
Harrington Street
Hobart 7000

Dated 30TH SEPTEMBER....., 2003.

Signed by/on behalf of the person giving this notice


.....
(Signature)

ANASTASIOS TSMOUKIS
.....
(Full Name)

GENERAL MANAGER
.....
(Description)

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 engaged or proposes to engage.

(PLEASE READ DIRECTIONS AND NOTICE ON BACK OF FORM)

1. (a) Name of person giving notice:

Norvac Pty Ltd
ABN 11 009 565 995

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

Retail sale of petrol

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

174 Clarence Street, Howrah. 7018

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

Supply of petrol by the person giving the notice and of products by participating Coles Supermarkets ("Participating Stores")

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

Supplying petrol or offering to supply petrol, giving or allowing, or offering to give or allow, a discount in relation to the supply or proposed supply of petrol on the condition that the person supplied or offered supply will acquire goods, or has acquired goods, of not less than a nominated value from Participating Stores, and refusing to give or allow a discount in relation to the supply of petrol to persons for the reason that they have not acquired, or have not agreed to acquire goods of not less than a nominated value from Participating Stores.

(See Direction 4 on the back of this Form)

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

The person giving the notice, the Participating Stores and all retail customers and all potential customers of the person giving the notice, and the Participating Stores, wishing to purchase products from the Participating Stores and/or petrol from the person giving the notice.

(b) Number of those persons:

(i) At the present time:

All potential customers of the person giving the notice and the Participating Stores.

(ii) Estimated within the next year:

Unknown, but more than 50.

(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:

Dobson Mitchell & Allport
Solicitors
Harrington Street
Hobart 7000

Dated 30th SEPTEMBER, 2003.

Signed by/on behalf of the person giving this notice


.....
(Signature)

ANASTASIOS TSAPOUKIS
.....
(Full Name)

GENERAL MANAGER
.....
(Description)

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 engaged or proposes to engage.

(PLEASE READ DIRECTIONS AND NOTICE ON BACK OF FORM)

1. (a) Name of person giving notice:

Norvac Pty Ltd
ABN 11 009 565 995

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

Retail sale of petrol

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

135 Invermay Road, Launceston. 7250

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

Supply of petrol by the person giving the notice and of products by participating Coles Supermarkets ("Participating Stores")

(b) Description of the conduct or proposed conduct:

Supplying petrol or offering to supply petrol, giving or allowing, or offering to give or allow, a discount in relation to the supply or proposed supply of petrol on the condition that the person supplied or offered supply will acquire goods, or has acquired goods, of not less than a nominated value from Participating Stores, and refusing to give or allow a discount in relation to the supply of petrol to persons for the reason that they have not acquired, or have not agreed to acquire goods of not less than a nominated value from Participating Stores.

(See Direction 4 on the back of this Form)

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

The person giving the notice, the Participating Stores and all retail customers and all potential customers of the person giving the notice, and the Participating Stores, wishing to purchase products from the Participating Stores and/or petrol from the person giving the notice.

(b) Number of those persons:

(i) At the present time:

All potential customers of the person giving the notice and the Participating Stores.

(ii) Estimated within the next year:

Unknown, but more than 50.

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

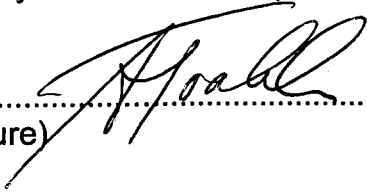
Not applicable

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

Dobson Mitchell & Allport
Solicitors
Harrington Street
Hobart 7000

Dated 30TH SEPTEMBER, 2003.

Signed by/on behalf of the person giving this notice


.....
(Signature)

ANASTASIOS TSPOUKIS
.....
(Full Name)

GENERAL MANAGER
.....
(Description)