

FORM G

Regulation 9

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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 NOTICE ON BACK OF FORM)

1. (a) Name of person giving notice:
Westralia Airports Corporation Pty Ltd ACN 077 153 130 (WAC)
- (b) Short description of business carried on by that person:
Management operation and development of Perth Airport
- (c) Address in Australia for service of documents on that person:
**Baker Road
Perth Airport WA 6105**
2. (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates:
The award of a contract for the provision of design, construction, operation and maintenance services in respect of the construction and operation of a baggage handling and checked bag screening facility at Perth Airport.
- (b) Description of the conduct or proposed conduct:
WAC intends to call proposals for, and award a contract for the construction and operation of a baggage handling and checked bag screening facility at Perth Airport on the basis that, if successful, the proponent will be required to enter into various contracts for the provision of specialist goods or services -:
 - (1) **in the case of supply, installation and maintenance of Explosive Detection System (EDS) x-ray equipment, by taking a novation of an existing agreement between WAC and a particular contractor;**

- (2) by seeking WAC's approval to its selection of EDS x-ray equipment from a supplier (and where WAC will specify a preferred supplier); and
- (3) by selecting a specialist baggage systems contractor (for the design and installation of a baggage system) from a list of preferred contractors compiled by WAC.

The submission accompanying this notification contains further details of the proposed conduct.

(See Direction 4 on the back of this Form)

3. (a) Class or classes of persons to which the conduct relates:
- Proponents for the provision of services with respect to the manufacture, construction and operation of a baggage handling and checked bag screening facility.**
- Providers of specialist baggage systems services.**
- Providers of explosive detection services and equipment.**
- (b) Number of those persons -
- (i) at present time:
 - (A) for providers of services with respect to the manufacture, construction and operation of a baggage handling and checked bag screening facility – 3
 - (B) for providers of specialist baggage systems services – 7
 - (C) for providers of explosive detection systems x-ray equipment – 4
 - (ii) Estimated within the next year:
 - (A) for providers of management services – 3
 - (B) for providers of specialist baggage systems services – 7
 - (C) for providers of explosive detection systems x-ray equipment – 4
- (c) Where number of persons stated in item 3(b)(i) is less than 50, their names and addresses:

(A)	(B)	(C)
Chubb Guard Services 63 Abernethy Rd Belmont WA 6104	AP Morling Pty Ltd 32 Northgate Drive Thomastown VIC 3074	Smiths Heimann.. Unit 16, 13-15 Wollongong Road Arncliffe New South Wales 2205
Tempo Services Ltd	Alstom Engineering Systems	Rapiscan

29 Walters Dve Herdsman WA 6017	3 Bridge Street Pymble NSW 2073	A&I Distributors. 6d/443 West Botany Street Rockdale New South Wales 2216
SNP Security 30-32 Richmond Rd Homebush NSW 2140	Inter-roller Engineering Ltd 20 Benoi Crescent Singapore 629983	Vivid L3 Communications. Unit C1 lower level 63-85 Turner Street Port Melbourne Victoria 3207
	Webb Conveyor Company Australia 20-22 Macquarie Drive Thomastown VIC 3074	Invision Technologies, 7151 Gateway Boulevard Newark California 94560 Phone (510) 739 2485
	Siemens Dematic Pty Ltd 24 Narabang Way Belrose NSW 2085	
	Glidepath Ltd 30 Cartwright Road Glen Eden Auckland 1007 New Zealand	
	BCS (Airports Group) Pty Ltd 3/14 Wedgewood Rd Hallam VIC 3803	

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

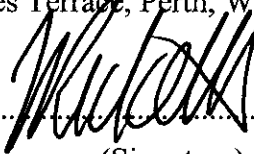
Jason Ricketts
Freehills
(Solicitors for Westralia Airports Corporation Pty Ltd)
Level 36, 250 St Georges Terrace
PERTH WA 6000

(Telephone 08 9211 7230; Facsimile 08 9211 7878)

Should the Commission wish to make any enquiries about the conduct described in this notification, the Commission is respectfully requested to contact Mr Ricketts in the first instance, prior to doing so.

Dated 21/10/2003

Signed on behalf of Westralia Airports Corporation Pty Ltd
by its solicitors and agents, Freehills of Level 36, 250 St
Georges Terrace, Perth, Western Australia.



.....
(Signature)

JASON CHARLES RICKETTS

.....
(Full Name)

Partner

.....
(Description)



DIRECTIONS

1. If there is insufficient space on this form for 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 subsection 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 subsection 47(6) or (7), or paragraph 47(8)(c) or (9)(d), of the *Trade Practices Act 1974* ("the Act"), it comes into force at the end of the period prescribed for the purposes of subsection 93(7A) of the Act ("the prescribed period") unless the Commission gives a notice under subsection 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 subsection 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 subsection 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 subsection 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.