



Kmart Australia Ltd
ABN 73 004 700 485
800 Toorak Road Tooronga
Victoria Australia 3146
PO Box 350 Glen Iris Victoria 3146
Telephone (03) 9829 4103
Facsimile (03) 9829 3682

FILE No:

DOC:

MARS/PRISM:

22 September 2004

Adjudications Manager
Australian Competition & Consumer Commission
PO Box 1199
DICKSON ACT 2602

Dear Sirs

Form G – Exclusive Dealing Notification

Please find enclosed one (1) completed Form G Exclusive Dealing Notification form together with a cheque in the sum of \$1000.00.

If you have any questions in relation to this notification, or require any additional information please contact the writer on (03) 9829 4103.

Yours faithfully,

Rebecca Irish
Lawyer
Kmart Australia Ltd

Direct Line (03) 9829 4103
Direct Fax (03) 9829 3682

AUST. COMPETITION &
CONSUMER COMMISSION
CANBERRA

27 SEP 2004

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:

Kmart Australia Limited. (ABN 73 004 700 485) (Kmart)

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

Operation of general merchandise discount department stores in Australia.

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

800 Toorak Road, Tooronga, Victoria 3146

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

Goods sold by Kmart stores in Australia.

(b) Description of the conduct or proposed conduct:

Kmart stores will provide to a customer goods at a price discounted by 15% on the condition that the customer has purchased a ticket to the Santa's Kingdom event to be held at the Melbourne Exhibition Centre between 25 November and 24 December 2004. Customers must present their ticket stub from the Santa's Kingdom event at their Kmart store to obtain the 15% discount off the purchase price of their goods.

This promotion commences on 25 November and ends on 31 December 2004.

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

Current and future customers of Kmart Australia Ltd.

(b) Number of those persons

- | | |
|--------------------------------------|------------------|
| (i) At present time: | <i>Not known</i> |
| (ii) Estimated within the next year: | <i>Not known</i> |

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

Not applicable

3. Names and addresses of person authorised by the person giving this notice to provide additional information in relation to this notice:

*Rebecca Irish
Lawyer
Kmart Australia Ltd
800 Toorak Road
Tooronga, Vic., 3146
Fax – (03) 9829 3682*

Dated 22 SEPTEMBER, 2004.

Signed by/on behalf of the applicant giving notice

Rebecca Irish
(Signature)

REBECCA IRISH
(Name)

LAWYER
(Description)