



Legal Department
Kmart Australia Ltd
ACN 004 700 485
800 Toorak Road Tooronga
Victoria Australia 3146
PO Box 350 Glen Iris Victoria 3146
Telephone (03) 9829 4111
Facsimile (03) 9829 5906

24 March 2005

Australian Competition & Consumer Commission
GPO Box 520J
MELBOURNE 3001

Dear Sir/Madam,

RE: EXCLUSIVE DEALING NOTIFICATION

Please find enclosed one (1) completed Form G Exclusive Dealing Notification form, together with cheque in the sum of \$1,000.00 on behalf of Kmart Australia Ltd.

If you have any questions in relation to this notification, or require any additional information, please contact me on (03) 9829 6490.

Yours faithfully

LUCAS ROBERTSON
Lawyer
Kmart Australia Ltd

E-mail – lucas.robertson@colesmyer.com.au

FILE No:
DOC: D05/18106
MARS/PRISM:



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 Ltd (ABN 73 004 700 485) (KMART)

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

Discount department stores throughout 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:**

Free story book "Kim Possible" which contains vouchers giving \$5 off DVD titles.

(b) Description of the conduct or proposed conduct:

Printed on a McDonalds Happy Meal box will be a voucher that entitles customers to receive a free Kim Possible story book when they purchase Kim Possible on DVD at Kmart. Within the story book are a series of vouchers giving customers \$5 off DVD titles. This promotion takes place over approximately 6 weeks during 13 May 2005 and 24 June 2005.

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

Current and future customers of McDonalds.

(b) Number of those persons

- (i) At present time: *Not known*
(ii) Estimated within the next year: *Not known*

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

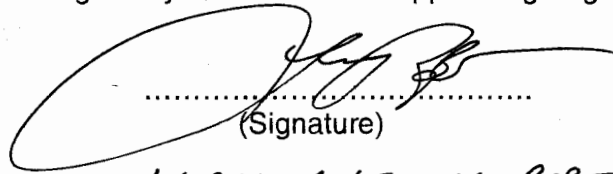
Not applicable

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

Lucas Robertson
Lawyer
Kmart Australia Ltd
800 Toorak Road
Tooronga Vic., 3146
Fax - (03) 9829 5109

Dated 24 March, 2005.

Signed by/on behalf of the applicant giving notice


.....
(Signature)

LUCAS ANTHONY ROBERTSON
(Full Name)

LAWYER - KMART AUSTRALIA
(Description)

