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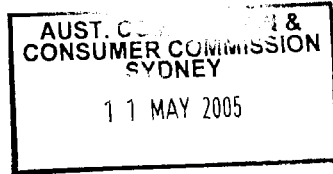
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Directors
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commercial and franchising law



BAYBRIDGE
lawyers



Our Ref: ER:ER:40259

9 May 2005

Australian Competition and Consumer Commission
Level 7
123 Pitt Street
SYDNEY NSW 2000

Dear Sirs

NOTIFICATION-THIRD LINE FORCING

We act on behalf of Bolamc Pty Ltd trading as Coleman's Office Products.

Enclosed are the following:

- i) Form G;
- ii) Annexure A to Form G;
- iii) Cheque for lodgement fees of \$100.00.

If you have any queries in relation to the above please contact the writer.

Yours faithfully
BAYBRIDGE LAWYERS

Elisabeth Ritchie
Direct Email: eritchie@baybridge.com.au

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Encl.

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 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 : **BOLMAC PTY LIMITED (ACN 099 677 666)**

(b) Short description of business carried on by that person: **PROVISION OF TECHNICAL AND MAINTENANCE SERVICES FOR OFFICE MACHINES INCLUDING, BUT NOT LIMITED TO, PHOTOCOPIERS, PRINTERS AND FAX MACHINES IN CONJUNCTION WITH THE NAME AND IMAGE OF COLEMAN'S OFFICE PRODUCTS.**

(c) Address in Australia for service of documents on that person: **C/- BAYBRIDGE LAWYERS, SUITE 106, LEVEL 1, 109 PITT STREET, SYDNEY NSW 2000**

2. (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates: **OFFICE MACHINES INCLUDING, BUT NOT LIMITED TO, PHOTOCOPIERS, PRINTERS AND FAX MACHINES AND RELATED ACCESSORIES.**

(b) Description of the conduct or proposed conduct: **REQUIREMENT FOR FRANCHISEES TO PURCHASE CERTAIN TYPES OF OFFICE MACHINES INCLUDING, BUT NOT LIMITED TO, PHOTOCOPIERS, PRINTERS AND FAX MACHINES AND RELATED ACCESSORIES FROM NOMINATED SUPPLIERS.**

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

(b) Number of those persons--
(i) At present time: **NIL**
(ii) Estimated within the next year: **5-10**

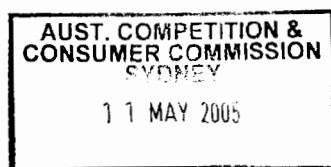
(c) Where number of persons stated in item 3 (b) (i) is less than 50, their names and addresses: **N/A**

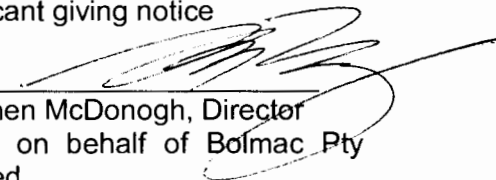
4. Names and address of person authorised by the person giving this notice to provide additional information in relation to this notice: **Mr Stephen McDonogh, Managing Director, Coleman's Office Products, PO Box 707, Bathurst NSW 2795.**

Dated: 4 May 2005

Signed by/on behalf of the applicant giving notice

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Stephen McDonogh, Director
for & on behalf of Bolmac Pty
Limited

Annexure to Form G

Exclusive Dealing Notification-Third Line Forcing

BOLAMC PTY LTD
ACN 099 677 666

Bolmac Pty Ltd (ACN 099 677 666) trading as Coleman's Office Products ("Coleman's") has developed a particular method of providing technical and maintenance services for office machines including, but not limited to, photocopiers, printers and fax machines in conjunction with the name and image of Coleman's Office Products.

There are currently **NIL** Coleman's Franchisees. It is however intended that Franchisees will be appointed.

Pursuant to clause 9 of the Franchise Agreement, Franchisees are required to purchase approved products from nominated suppliers. The relevant clauses are as follows:

9C.3 Purchase of Products

The Franchisee must:

- (a) purchase the Initial Stock Requirement prior to commencement of the Business;*
- (b) purchase all Products from the Nominated Supplier(s) [which may be the Franchisor or its related company];*
- (c) only sell Products supplied by the Nominated Supplier(s); and*
- (d) not seek opening of, or open, an account with any supplier even if this supplier is not currently supplying the Franchisor. Any enquires should be directed to the Franchisor who may negotiate for the network. In deciding whether to supply the product the Franchisor will take into account the benefits of the new product to the network.*

The Franchisee must only sell Products in the course of providing Technical and Maintenance Services.

The Franchisee acknowledges that the Nominated Supplier may receive a rebate or other financial benefit from the supply of Products. The Franchisee agrees that such benefit belongs to the Nominated Supplier and that it has no right to claim such benefits.

9C.6 Payment

The Franchisee must pay for all Products in accordance with the terms and conditions of the Franchisor/Nominated Supplier from time to time. Failure to comply with this clause is a fundamental breach of this Agreement.

The price of the Products will be the landed cost price of the Products as paid by the Nominated Supplier plus the Stock Handling Fee as set out in Item 5(c).

The current approved products and nominated suppliers are set out in the Schedule.

The office products market is a highly competitive market with a large number of participants. It is paramount that the products be of a high standard and fit for the purpose for which they are being sold.

Coleman's intends to receive revenue as a result of the supply of the products (Stock Handling Fee). It

SCHEDULE

1. APPROVED PRODUCTS.

Sharp: All parts and consumables relating to Copiers, Printers, Fax machines, Cash registers, Point of Sale Systems, Data projectors, and any other Office Products machine.

Ricoh: All parts and consumables relating to Copiers, Printers, Fax machines, and any other Office Products machine.

Panasonic: All parts and consumables relating to Copiers, Printers, Fax machines, Phones, Whiteboards and any other Office Products machine.

HP: All parts and consumables relating to Copiers, Printers, Fax machines, Data projectors, Computers and any other Office Products machine.

Lexmark: All parts and consumables relating to Copiers, Printers, Fax machines and any other Office Products machine.

Canon: All parts and consumables relating to Copiers, Printers, Fax machines and any other Office Products machine.

Epson: All parts and consumables relating to Copiers, Printers, Fax machines and any other Office Products machine.

Brother: All parts and consumables relating to Copiers, Printers, Fax machines and any other Office Products machine.

OKI: All parts and consumables relating to Copiers, Printers, Fax machines and any other Office Products machine.

Oce: All parts and consumables relating to Copiers, Printers, Fax machines and any other Office Products machine.

Sprintquip: Coin & note counters

Samsung: All parts and consumables relating to Copiers, Printers, Fax machines and any other Office Products machine.

QMS/Minolta: All parts and consumables relating to Copiers, Printers, Fax machines and any other Office Products machine.

PHE: Laminators, Binders and Shredders

Kyocera Mita: All parts and consumables relating to Copiers, Printers, Fax machines and any other Office Products machine.

Infotec: All parts and consumables relating to Copiers, Printers, Fax machines and any other Office Products machine.

Citizen: Docket Printers

Aqualogic: Water coolers

2. NOMINATED SUPPLIERS

Currently Bolmac Pty Ltd (the franchisor company) but it is envisaged that there may be third party suppliers in the future.

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may also from time to time receive rebates or other financial benefits from the suppliers.

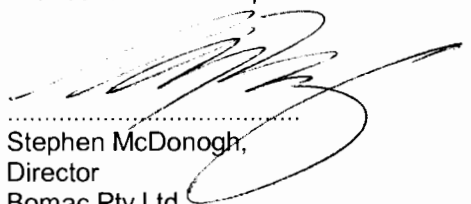
For this reason and for reasons of quality and consistency of image it is important to Coleman's that the Franchisees market and sell the same brands of products, and purchase those products from the franchisor company or a nominated supplier.

Coleman's considers that the requirement to purchase the above products is essential to the successful operation of the franchise network.

Coleman's considers that the public benefit to be derived from its conduct outweighs any public detriment as a result of the following.

1. Consistency of the quality of the products being sold to the public can be maintained.
2. Group deals for supplies means that quality products can be provided at lower prices to its Franchisees, who in turn can supply the products at cheaper prices to the public.
3. Because of the uniformity produced by the Franchisees, Coleman's can promote and advertise the products as a group, avoid running single and independent promotions.
4. Control over the brands sold helps Coleman's to ensure quality of product, prompt and consistent delivery times of products to the Franchisees, and ultimately the public.

Coleman's requests the Australian Competition and Consumer Commission to consider this request for exclusive dealing.



.....
Stephen McDonogh,
Director
Bomac Pty Ltd
4 May 2005

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