



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
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MARS/PRISM:

29 April 2005

Australian Competition & Consumer Commission
GPO Box 520J
MELBOURNE 3001

*E-mailed to
ACCC
(Scott Gregson)
following phone
discussion
19/5/05*

Dear Sir/Madam,

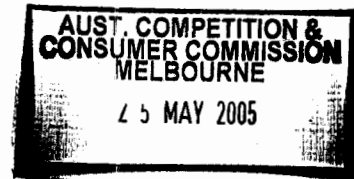
RE: EXCLUSIVE DEALING NOTIFICATION

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

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:

"Star Wars" Trilogy DVD box set

(b) Description of the conduct or proposed conduct:

*All KMART stores will provide to a customer the goods described above at a price discounted by \$12.50 on the condition that the customer presents a discount coupon printed on the back of a Hoyts theatre ticket (ticket having been purchased for the movie *Star Wars: Episode III*). This promotion commences on 19 May 2005 and ends on 16 June 2005.*

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

Current and future customers of Hoyts.

(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
Company Solicitor
Kmart Australia Ltd
800 Toorak Road
Tooronga Vic., 3146
Fax – (03) 9829 5906

Dated... 3 May, 2005.

Signed by/on behalf of the applicant giving notice


.....
(Signature)

LUCAS A. ROBERTSON
.....
(Full Name)

SOLICITOR
.....
(Description)

