



Coles Myer Ltd.

ABN 11 004 089 936

4 January 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, on behalf of Kmart Australia Ltd.

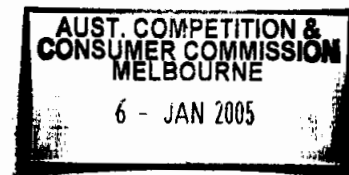
If you have any questions in relation to this notification, or require any additional information, please contact me on (03) 9829 6490.

Yours faithfully

LUCAS ROBERTSON
Lawyer
Legal Services - Retail Brands
Coles Myer Ltd

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

FILE No:
DOC: 005/333
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:

Videogame "Tony Hawk's Underground 2" in PS2, Xbox, Game Cube, GBA & PC versions.

(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 10% on the condition that the customer presents a Hoyts movie ticket stub with discount voucher. This promotion takes place over approximately 5 weeks during January and February 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:

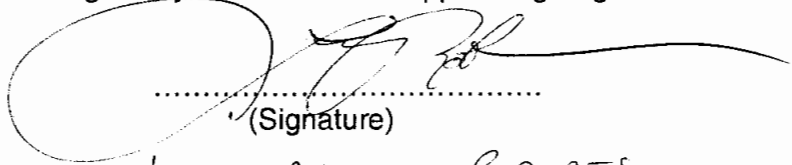
Not applicable

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

Lucas Robertson
Lawyer
Kmart Australia Ltd
800 Toorak Road
Tooronga Vic., 3146
Fax – (03) 9829 5906

Dated...30/12/..., 2004.

Signed by/on behalf of the applicant giving notice


.....
(Signature)

LUCAS ANTHONY ROBERTSON
.....
(Full Name)

LAWYER
.....
(Description)

