



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: C2004/1798  
Contact Officer: Tania Mayrhofer  
Contact Number: (02) 6243 1070

6 December 2004

Phil & Robyn King  
Hi-Way Motors Murwillumbah Pty Ltd  
303 Tweed Valley Way  
Murwillumbah NSW 2484

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[www.accc.gov.au](http://www.accc.gov.au)

Dear Mr & Mrs King

**Notification of exclusive dealing lodged by  
Nortila Pty Ltd (N40802)**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 19 November 2004.

You have described the conduct in respect of the above notification as the giving or allowing, or offering to give or allow, a discount, allowance, rebate or credit in relation to the supply or proposed supply of retail petroleum products by Hi-Way Motors Murwillumbah to consumers purchasing petroleum products at BP service stations operated by Hi-Way Motors Murwillumbah on the condition that the consumers have acquired goods of a specified value from participating supermarkets owned by Action Supermarkets Pty Ltd.

Legal immunity provided by this notification commenced on 4 December 2004.

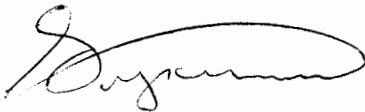
The ACCC recently consulted a wide variety of interested parties in relation to a number of similar notifications relating to the petrol and grocery sectors. The ACCC has considered the above notification in light of submissions previously put to it by interested parties in relation to similar notifications and its own investigations. The ACCC considers that the notified conduct is likely to result in a net public benefit and does not intend to take any further action at this stage to remove the immunity afforded by the notification.

Please note, as with any notification, the ACCC may act to remove the immunity afforded by this notification at a later stage if it becomes satisfied that the likely benefit to the public from the conduct will not outweigh the likely detriment to the public from the conduct.



This letter has been placed on the ACCC's public register. The ACCC has released a report and media release in relation to the consideration of a number of acquisitions in the petrol and grocery sectors, which can be found on the ACCC's website at [www.accc.gov.au](http://www.accc.gov.au). If you wish to discuss any aspect of this matter, please do not hesitate to contact Tania Mayrhofer on (02) 6243 1070.

Yours sincerely



Scott Gregson  
A/g General Manager  
Adjudication Branch

cc: Mr Peter Hede  
Divisional Manager – Fuel & Convenience  
Foodland Associated Limited  
Locked Bog 1000  
Nunawading BC VIC 3110