



Australian
Competition &
Consumer
Commission

Our Ref: C2005/1042
Contact Officer: Ursula Everett
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29 August 2005

Mr Paul Rigo
Porter Davies Lawyers
GPO Box 2942
BRISBANE QLD 4001

Dear Mr Rigo

Third line forcing notification No. N91818 lodged by Strasburger Enterprises (Properties) Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 24 June 2005.

The notified conduct is described as:

Strasburger proposes to supply to each of the relevant Participating Site Operators a licence to occupy specific premises. In each case, the premises will be suitable for the retailing of motor fuels, convenience store items and ancillary services. In some instances, the premises will also include a workshop, suitable for providing workshop services, and/or a car wash facility, suitable for providing car wash services.

In each case, the license to occupy the premises will be subject to a condition that the operator acquires products and services from Mobil Oil Australia Pty Ltd, and/or from bodies corporate related to Mobil.

Specifically, Strasburger will require that each of the relevant Participating Site Operators:

- A. *Enter into a Commission Agent Agreement with Strasburger, pursuant to which the operator will:*
- (i) *act as an agent to sell fuel at retail on behalf of Strasburger in connection with the sale of fuel to customers;*
 - (ii) *conduct a shop/convenience store business at the site; and*
 - (iii) *act as an agent to sell fuel at retail on behalf of Mobil in connection with the sale of motor fuel to Mobil card customers.*



B. *Where a workshop and/or car wash service facility is at the site, enter into a Workshop Licence Agreement with Strasburger, pursuant to which the operator will:*

- (i) agree to provide workshop and/or car wash services as an agent of Strasburger; and*
- (ii) acquire products and services from Mobil and/or related bodies corporate of Mobil.*

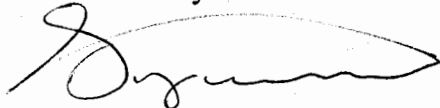
Immunity for the notified conduct commenced on 7 July 2005.

On the basis of the information that you have provided it is not intended that further action be taken in this matter, at this stage.

As with any notification, please note that the ACCC may act to revoke the immunity afforded by this notification at a later stage if it is 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. If you wish to discuss this matter further please contact Ursula Everett on 02 6243 1271.

Yours sincerely



Scott Gregson
A/g General Manager
Adjudication Branch