

27 September 2005



TELEPHONE: (03) 9829 3833  
FACSIMILE: (03) 9829 4946

Australian Competition and Consumer Commission  
Level 35, 360 Elizabeth St  
MELBOURNE VIC 3000

To whom it may concern,

Please find enclosed Form G – Exclusive Dealing Notification and a cheque for \$100.

Please contact our legal assistant Melani Ogle on (03) 9829 3833 if you have any queries.

Yours sincerely,



**Ashley Johnson**  
Coles Myer Liquor Group

Encl.

**FORM G****COMMONWEALTH OF AUSTRALIA***Trade Practices Act 1974 – subsection 93(1)***EXCLUSIVE DEALING: NOTIFICATION**

[Front of Form]

To the Australian Competition and Consumer Commission:

Notice is hereby given, in accordance with subsection 93(1) of the *Trade Practices Act 1974*, of particulars of conduct or of proposed conduct of a kind referred to in subsection 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.

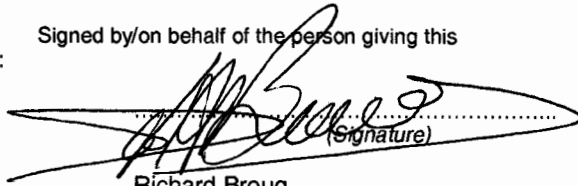
(PLEASE READ DIRECTIONS AND NOTICE ON BACK OF FORM)

1. (a) Name of person giving notice:  
N40924N92146  
 Liquorland (Australia) Pty Ltd (ABN 82 007 512 414) ('LLA') and Liquorland (Qld) Pty Ltd (ABN 57 079 861 626) ('LLQ')  
*(See Direction 2 on the back of this Form)*
- (b) Short description of business carried on by that person:  
 Retail sale of alcoholic beverages.
- (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:  
 Goods sold by LLA and/or LLQ.
- (b) Description of the conduct or proposed conduct:  
 To enter into an arrangement with Northern & Shell Pacific Ltd (ABN 82 108 528 847) ('NSP') and Foster's Group Limited (ABN 49 007 620 886) ('FGL') pursuant to which LLA and LLQ will give a free piccolo (200mL) bottle of Yellowglen Yellow sparkling wine, to be supplied by FGL, to customers over 18 years of age who provide a specified coupon contained in the October 2005 issue of NSP's OK! magazine.  
*(See Direction 4 on the back of this Form)*
3. (a) Class or classes of persons to which the conduct relates:  
 Current and future customers of LLA, LLQ and NSP.
- (b) Number of those persons:
  - (i) At present time:  
 Unknown
  - (ii) Estimated within the next year:  
 Unknown
- (c) Where number of persons stated in item 3(b)(i) is less than 50, their names and addresses:  
 Not applicable.
4. Name and address of person authorised by the person giving this notice to provide additional information in relation to this notice:  
 Ashley Johnson  
 Solicitor  
 Coles Myer Liquor Group  
 800 Toorak Road  
 Tooronga VIC 3146

Dated 27/9 2005

notice:

Signed by/on behalf of the person giving this



(Signature)

Richard Broug

(Full name)

General Manager, Merchandise – Coles  
Myer Liquor Group  
(Description)

## DIRECTIONS

1. If there is insufficient space on this form for the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the person giving the notice.
2. If the notice is given by or on behalf of a corporation, the name of the corporation is to be inserted in item 1(a), not the name of the person signing the notice, and the notice is to be signed by a person authorised by the corporation to do so.
3. In item 1(b), describe that part of the business of the person giving the notice in the course of which the conduct is engaged in.
4. If particulars of a condition or of a reason of the type referred to in subsection 47(2), (3), (4), (5), (6), (7), (8) or (9) of the *Trade Practices Act* 1974 have been reduced in whole or in part to writing, a copy of the writing is to be provided with the notice.
5. In item 3(a), describe the nature of the business carried on by the persons referred to in that item.
6. In item 3(b)(ii), state an estimate of the highest number of persons with whom the person giving the notice is likely to deal in the course of engaging in the conduct at any time during the next year.

## NOTICE

If this notification is in respect of conduct of a kind referred to in subsection 47(6) or (7), or paragraph 47(8)(c) or (9)(d), of the *Trade Practices Act* 1974 ("the Act"), it comes into force at the end of the period prescribed for the purposes of subsection 93(7A) of the Act ("the prescribed period") unless the Commission gives a notice under subsection 93A(2) of the Act within the prescribed period, or this notification is withdrawn.

The prescribed period is 21 days (if this notification is given on or before 30 June 1996) or 14 days (if this notification is given after 30 June 1996), starting on the day when this notification is given.

If the Commission gives a notice under subsection 93A(2) of the Act within the prescribed period, this notification will not come into force unless the Commission, after completing the procedures in section 93A of the Act, decided not to give a notice under subsection 93(3A) of the Act. The notification comes into force when that decision is made.

If this notification is in respect of conduct of a kind referred to in subsection 47(2), (3), (4) or (5), or paragraph 47(8)(a) or (b) or (9)(a), (b) or (c), of the Act, it comes into force when it is given.