

abbott tout  
LAWYERS

FILE No:
DOC
MARS/PRISM:

2 November 2005

Mr Scott Gregson  
Adjudication Branch  
Australian Competition & Consumer Commission  
470 Northborne Avenue  
DICKSON ACT 2602

YOUR REF:  
OUR REF: CLE:5510019  
WRITER'S TEL: (02) 9334 8596  
WRITER'S NAME: Christine Ecob

Dear Sir

**GM HOLDEN LIMITED & OTHERS - NOTIFICATION UNDER SECTION 93 OF THE TRADE PRACTICES ACT 1974**

We refer to our letter to you of 5 August 2005 relating to third line forcing notification in N91890 - N92101.

We enclose a further Form G Application made on behalf of the Holden dealer Peninsula Holden Dee Why. We enclose a cheque for \$100 payable to the Australian Competition and Consumer Commission.

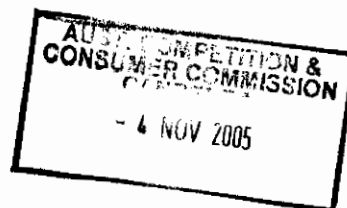
Please refer to our submissions contained in our letter dated 5 August 2005 in relation to the Form G Notice.

If you have any questions in relation to this Notification or require any further information, please do not hesitate to contact Christine Ecob of our office.

Yours faithfully  
**ABBOTT TOUT**

Per 

**CHRISTINE ECOB**  
Partner



# 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:*

GM Holden Limited on behalf of Jay Weerasingite of Peninsula Holden Dee Why being a Holden Dealer

(b) *Short description of business carried on by that person:*

Sells Holden vehicles and parts to commercial and retail customers

(c) *Address in Australia for service of documents on that person:*

c/- Christine Ecob, Abbott Tout, Level 42, 19-27 Martin Place, Sydney, NSW 2000

2. (a) *Description of the goods or services in relation to the supply or acquisition of which this notice relates:*

A rebate, credit allowance or discount in relation to the supply of motor vehicles.

(b) *Description of the conduct or proposed conduct*

The provision of a rebate, credit allowance or discount to Holden customers in relation to the purchase of motor vehicles on condition that the customer acquires novated leasing services from TVPR Pty Limited (trading as Holden Leasing) or refusing to provide a rebate, credit allowance or discount to Holden customers for the reason that a Holden customer has not acquired novated leasing services from Holden Leasing.

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

Members of the public who may become customers of Peninsula Holden Dee Why.

(b) Number of those persons:

(i) *At present time:*

More than 200

(ii) *Estimated within the next year:*

More than 200

(c) *Where number of persons stated in item 3(b)(i) is less than 50, their names and addresses:*

Not applicable

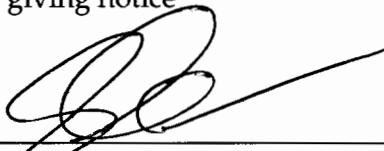
4. *Names and address of person authorised by the person giving this notice to provide additional information in relation to this notice:*

Christine Ecob  
Abbott Tout  
Level 42, 19-29 Martin Place  
Sydney NSW 2000

Dated

21/10 / 2005

Signed by GM Holden Limited on behalf of the applicant giving notice

  
\_\_\_\_\_  
(Signature)

SIMON CARR  
\_\_\_\_\_  
(Full Name)

NATIONAL FLEET MANAGER.  
\_\_\_\_\_  
(Description)

Consent Form

Holden Leasing Novated Lease Programme

JAY WIERASINGHE (Dealer Principle/General Manager) of PENINSULA HOLDEN the company consent to GM Holden making an application on our behalf, along with other participating GM Holden Dealers, regarding a Holden Leasing Novated lease Program for relief from the Third Line Enforcing provision of the Trade Practices Act.

Signed: [Signature] Title: Gen manager Date: .....

Return to: Kevin Huckel 191 Salmon Street Port Melbourne Vic 3207, E-mail: kevin.huckel@gm.com, Fax: 03 9647 5888