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Legal Department
Kmart Australia Ltd
ACN 004 700 485
800 Toorak Road Tooronga
Victoria Australia 3146
PO Box 350 Glen Iris Victoria 3146
Telephone (03) 9829 4111
Facsimile (03) 9829 5906

Legal Services Group
Telephone: 61 3 9829 4809
Facsimile: 61 3 9829 5906
Kara.Gilmartin@colesmyer.com.au

FILE No:
DOC:
INVESTIGATORS/PRISM:

10 July 2006

Adjudication Branch
Australian Competition & Consumer Commission
GPO Box 520J
MELBOURNE VIC 3001

Dear Sir/Madam

EXCLUSIVE DEALING NOTIFICATION

Please find **enclosed** a completed Form G Exclusive Dealing Notification form, together with a cheque in the sum of \$1,000.00 on behalf of Kmart Australia Ltd.

If you have any queries in relation to this notification, or require any additional information, please contact me on (03) 9829 4809.

Yours faithfully

Kara Gilmartin
Solicitor - Retail Brands

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), (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:**
Girls apparel from the Girl Xpress range retailed at Kmart.
- (b) **Description of the conduct or proposed conduct:**
*Kmart proposes to attach to the September edition of Dolly magazine a voucher that entitles the voucher holder to a \$10 Kmart voucher for future purchases when the voucher holder spends a minimum of \$50 on the Girl Xpress apparel range at Kmart. The September Dolly magazine will be available for sale from 28 July 2006 to 31 August 2006.
Each customer is limited to only one (1) Kmart voucher that is valid for one (1) transaction only. This Kmart voucher must be used between 28 July 2006 and 31 August 2006.*
3. (a) **Class or classes of persons to which the conduct relates:**
Current and future customers of Dolly magazine.
- (b) **Number of those persons:**
 - (i) At present time: *Not Known*
 - (ii) Estimated within the next year: *Not Known*
- (c) **Where number of persons stated in item (3)(b)(i) is less than 50, their names and addresses:**

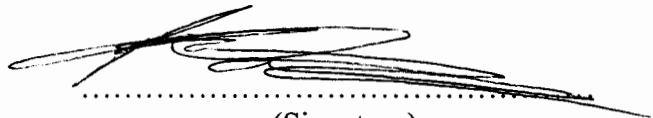
Not applicable.

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

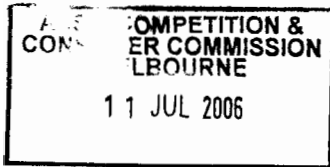
*Kara Gilmartin
Lawyer
Kmart Australia Ltd
800 Toorak Road
TOORONGA VIC 3146
Fax: (03) 9829 5906*

Dated: 10 / 7 / 06

Signed by/on behalf of the applicant giving notice



(Signature)



.....**Kara Gilmartin**.....
(Full Name)

....**Solicitor – Kmart Australia Ltd**....
(Description)