

**ROBERT BARNES  
ATTORNEY**

LEVEL 2  
222 CLARENCE STREET  
SYDNEY NSW 2000  
DX 13122 MARKET STREETS YDNEY

TEL: 02-9266 0077  
FAX: 02-9266 0577  
robbarnes@ozemail.com.au

Our ref: RB:CAS  
Your ref:

23 October 2006

General Manager  
Adjudication Branch  
Australian Competition and Consumer Commission  
PO Box 1199  
DICKSON ACT 2602

FILE No:
DOC:
MARS/PRISM:

Dear Sir

**SERVO SAVERS PROMOTION**

I refer to previous correspondence and enclose 4 further Forms G for the following service station proprietors and their businesses:

Peter Boucher Motors Pty Ltd  
Lexair Pty Ltd  
David Ian Smith & Wendy-Anne Smith t/as The Big Spud  
Robert Jefcoate t/as Geraldton Car Wash & Fuel

I also enclose a cheque for \$500.00.

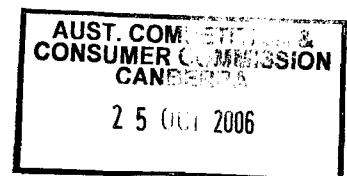
The Notifications are made on exactly the same basis as the previous Notifications and the same submissions as to the effect on competition are made in relation to the enclosed Notifications.

If you require any further information, please let me know.

Yours faithfully



**Robert Barnes**  
*cc Servo Savers*



ABN 77 803 089 602

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# Form G

Commonwealth of Australia  
Trade Practices Act 1974 — Sub-section 93(1)  
**EXCLUSIVE DEALING  
NOTIFICATION**

N92671

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.

(PLEASE READ DIRECTIONS AND NOTICES ON BACK OF FORM)

1. (a) Name of person giving notice..... PETER BOUTCHER MOTORS PTY LTD

(See Direction 2 on the back of this form)

(b) Short description of business carried on by that person  
Retail sale of fuel and petroleum products and associated consumer items

(c) Address in Australia for service of documents on that person  
ST YASS NSW 2582 44-50 COMUR

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

(b) Description of the conduct or proposed conduct  
Sale of fuel at a discount subject to customer purchasing a specified dollar amount of goods or services at 'participating businesses' - see attachments

(See Direction 4 on the back of this Form)

3. (a) Class or classes of persons to which the conduct relates  
Any customer of the service station

(b) Number of those persons--

(i) At present time ..... Not possible to estimate

(ii) Estimated within the next year ..... Not possible to estimate

(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..... Robert Barnes, Barnes & Wenden

Level 2, 222 Clarence Street  
Sydney, NSW 2000

Dated 20 Sept 2006

Signed by/on behalf of the applicant giving notice

[Signature]

(Signature)

PETER JOHN BOUTCHER

(Full Name)

MAN/DIRECTOR

(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 sub-section 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 sub-section 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 sub-section 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 sub-section 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, decides 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.

# Form G

Commonwealth of Australia  
Trade Practices Act 1974 --- Sub-section 93(1)  
**EXCLUSIVE DEALING  
NOTIFICATION**

N92672

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.

(PLEASE READ DIRECTIONS AND NOTICES ON BACK OF FORM)

1. (a) Name of person giving notice..... LEXAIR P/L  
.....  
(See Direction 2 on the back of this form)  
(b) Short description of business carried on by that person  
Retail sale of fuel and petroleum products and associated consumer items  
.....  
(c) Address in Australia for service of documents on that person  
PO BOX 2290  
ALICE SPRINGS NT 0871
2. (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates  
Fuel  
.....  
(b) Description of the conduct or proposed conduct  
Sale of fuel at a discount subject to customer purchasing a specified dollar amount of goods or  
services at 'participating businesses' - see attachments  
.....  
(See Direction 4 on the back of this Form)
3. (a) Class or classes of persons to which the conduct relates  
Any customer of the service station  
.....  
(b) Number of those persons--  
(i) At present time ..... Not possible to estimate  
(ii) Estimated within the next year ..... Not possible to estimate  
(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..... Robert Barnes, Barnes & Wenden  
.....  
44 Market Street  
.....  
Sydney NSW 2000

Dated ..... 15th August 2006 .....

Signed by/on behalf of the applicant giving notice



(Signature)

ANTHONY ROSSCONNOR

(Full Name)

DIRECTOR

(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 sub-section 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 sub-section 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 sub-section 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 sub-section 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, decides 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.

# Form G

Commonwealth of Australia  
Trade Practices Act 1974 — Sub-section 93(1)  
**EXCLUSIVE DEALING  
NOTIFICATION**

N92673 (D)  
N92674 (W)

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.

(PLEASE READ DIRECTIONS AND NOTICES ON BACK OF FORM)

1. (a) Name of person giving notice..... DAVID IAN & WENDY-ANNE SMITH  
..... TJA THE BIG SPID.

(See Direction 2 on the back of this form)

(b) Short description of business carried on by that person  
Retail sale of fuel and petroleum products and associated consumer items

(c) Address in Australia for service of documents on that person  
14 OLD MAIN RD  
SASSARAS TASMANIA 7307

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

(b) Description of the conduct or proposed conduct  
Sale of fuel at a discount subject to customer purchasing a specified dollar amount of goods or services at 'participating businesses' - see attachments

(See Direction 4 on the back of this Form)

3. (a) Class or classes of persons to which the conduct relates  
Any customer of the service station

(b) Number of those persons—  
(i) At present time ..... Not possible to estimate  
(ii) Estimated within the next year ..... Not possible to estimate

(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..... Robert Barnes, Barnes & Wenden  
..... 44 Market Street  
..... Sydney NSW 2000 21222 Clarence St  
..... SYDNEY NSW 2000

Dated 19-9 19 2006

Signed by/on behalf of the applicant giving notice

[Signature]  
.....  
(Signature)

DAVID IAN SMITH  
.....  
(Full Name)

PARTNER  
.....  
(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 giving 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 sub-section 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 sub-section 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 sub-section 93A(2) of the Act within the prescribed period, or this notification is withdrawn.

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If the Commission gives a notice under sub-section 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, decides 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.

N92675

# 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.

(PLEASE READ DIRECTIONS AND NOTICES ON BACK OF FORM)

1. (a) Name of person giving notice..... ROBERT JEFCOATE + 46 GERRARD St with a fuel

(See Direction 2 on the back of this form)

(b) Short description of business carried on by that person  
Retail sale of fuel and petroleum products and associated consumer items

(c) Address in Australia for service of documents on that person  
229 GERRARD AVE GERRARD ST N.A.  
6570

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

(b) Description of the conduct or proposed conduct  
Sale of fuel at a discount subject to customer purchasing a specified dollar amount of goods or services at 'participating businesses' - see attachments

(See Direction 4 on the back of this Form)

3. (a) Class or classes of persons to which the conduct relates  
Any customer of the service station

(b) Number of those persons--  
(i) At present time ..... Not possible to estimate  
(ii) Estimated within the next year..... Not possible to estimate

(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.....  
Robert Barnes, Barnes & Wenden  
44 Market Street  
Sydney NSW 2000  
21222 Clarence St  
SYDNEY 2000

Dated 16/4/06

Signed by/on behalf of the applicant giving notice

[Signature]  
(Signature)

Robert Jefcoate  
(Full Name)

Owner/Manager  
(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 sub-section 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 sub-section 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 sub-section 93A(2) of the Act within the prescribed period, or this notification is withdrawn.

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If the Commission gives a notice under sub-section 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, decides 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.