

N 41028

**MYER**

ACN 004 143 239  
ABN 83 004 143 239

Myer Limited  
Level 7, 295 Lonsdale Street  
Melbourne Victoria  
Australia 3000

23 October 2006

The General Manager  
Adjudication Branch  
The Australian Competition & Consumer Commission  
Level 35  
360 Elizabeth Street  
MELBOURNE VIC 3000

Dear Sir

**Exclusive Dealing Notification**

We attach the following:

1. Exclusive Dealing Notification
2. Cheque in the sum of \$1000

If you have any queries in respect of the notification, please feel free to telephone me on  
(03) 9661 2367

Yours faithfully



Wai Wong  
**Myer Limited**

N41028

## EXCLUSIVE DEALING NOTIFICATION

Commonwealth of Australia

*Trade Practices Act 1974* — Subsection 93(1)

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

Myer Ltd, ABN: 83 004 143 239 ("Myer")

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

Operation of department stores throughout Australia

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

Myer Compliance  
Level 7, 295 Lonsdale Street,  
Melbourne Victoria 3000

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

Goods in stock at stores of Myer and certain benefits and privileges as notified to:

- (i) Myer Card credit account-holders; or
- (ii) Myer one members; or
- (iii) special card holders; or
- (iv) all current or prospective customers of Myer; or
- (v) the general public

from time to time, by various methods including but not limited to the following

- 1) mail outs by post or in electronic form to Myer Card credit account-holders, Myer one members, special card holders, current or prospective customers of Myer or the general public.;
- 2) in-store brochures or other in-store communications (including brochures, audio, video or signage);
- 3) catalogues, press advertisements, or advertisements by electronic media, including but not limited to telephone, mobile phone messaging, the Internet, radio and televisions

(b) Description of the conduct or proposed conduct

Myer will:

**A.** Myer will offer to:

- (i) supply goods as specified in 2(a) at a particular price; or

- (ii) supply goods as specified in 2(a) free with the purchase of other specified goods; or
- (iii) supply a gift card or gift voucher or discount voucher of specified value free of charge with the purchase of specified goods; or
- (iv) supply other benefits or privileges as specified in 2(a) with the purchase of specified goods

on the condition that

- (i) the purchaser of the goods is currently a Myer Card credit account-holder; or
- (ii) the purchaser of the goods becomes a Myer Card credit account-holder prior to the purchase of the goods;

and will purchase the goods (whether of a specified nature or to a specified value in a specified period or otherwise as notified) using a Myer Card supplied by GE Capital Finance Australia.

**B.** Myer will offer to:

- (i) supply a gift card, gift voucher or discount voucher of a specified value free of charge; or
- (ii) supply other benefits or privileges as specified in 2(a)

on the condition that the recipient of the gift card, gift voucher or discount voucher or benefits or privileges is currently Myer Card credit account-holder and will purchase goods (whether of a specified nature or to a specified value in a specific time period or otherwise as notified) using a Myer Card supplied by GE Capital Finance Australia.

**C.** Myer will offer to:

- (i) supply a gift card, gift voucher or discount voucher of a specified value free of charge; or
- (ii) supply other benefits or privileges as specified in 2(a) including the supply of Myer one points

on the condition that the recipient of the of the gift card, gift voucher or discount voucher or the benefits or privileges will acquire a Myer Card supplied by GE Capital Finance Australia.

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

Conduct relates to:

- 1) current Myer Card credit account-holders; or
- 2) persons willing to become Myer Card credit account-holders prior to the purchase of the goods or at the time of receipt of a gift card, gift voucher or discount voucher or specified benefits or privileges referred to in 2(b) and 2 (c); or
- 3) current and future Myer one members and special card holders, selected on the basis of use of the Myer Card.

**(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**

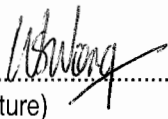
N/A

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

Wai Wong  
Compliance Manager  
Level 7, 295 Lonsdale Street  
Melbourne Victoria 3000

Dated: 23 October 2006

Signed by

  
.....  
(Signature)

Wai Wong  
(Full Name)

Compliance Manager  
(Description)