

ROBERT BARNES
ATTORNEY

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Our ref: RB: CAS
Your ref:

10 August 2007

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 further Forms G with respect to the following service station proprietors and their businesses:

1. Wakelin Nominees Pty Ltd
2. Highway Servos Pty Ltd
3. Appletree Creek Petrol Company Pty Ltd

I also enclose a cheque for \$300.00.

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

ABN 77 803 089 602

Liability limited by a Scheme approved under Professional Standards Legislation

Form G

Commonwealth of Australia
Trade Practices Act 1974 — subsection 93 (1)

NOTIFICATION OF EXCLUSIVE DEALING

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 subsections 47 (2), (3), (4), (5), (6), (7), (8) or (9) of that Act in which the person giving notice engages or proposes to engage.

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

1. Applicant

N93090

- (a) Name of person giving notice:
(Refer to direction 2)

WAKELIN NOMINEES PTY LTD

- (b) Short description of business carried on by that person:
(Refer to direction 3)

Retail sale of fuel and petroleum products and associated consumer items.

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

770 BROOKTON HWY
ROLEYSTONE W.A. 6111

2. Notified arrangement

- (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.
.....
.....
(Refer to direction 4)

ATTACHMENTS
NOT PROVIDED
79 Accc

3. Persons, or classes of persons, affected or likely to be affected by the notified conduct

(a) Class or classes of persons to which the conduct relates:
(Refer to direction 5)
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:
(Refer to direction 6)
Not possible.
.....
.....

(c) Where number of persons stated in item 3 (b) (i) is less than 50, their names and addresses:
Not applicable.
.....
.....
.....
.....

4. Public benefit claims

- (a) Arguments in support of notification:
(Refer to direction 7)

Provides consumers a petrol discount on the pump price at no
additional cost to consumers.

- (b) Facts and evidence relied upon in support of these claims:

Not possible.

5. Market definition

Provide a description of the market(s) in which the goods or services described at 2 (a) are supplied or acquired and other affected markets including: significant suppliers and acquirers; substitutes available for the relevant goods or services; any restriction on the supply or acquisition of the relevant goods or services (for example geographic or legal restrictions):
(Refer to direction 8)

Petrol retailing.

6. Public detriments

- (a) Detriments to the public resulting or likely to result from the notification, in particular the likely effect of the notified conduct on the prices of the goods or services described at 2 (a) above and the prices of goods or services in other affected markets:
(Refer to direction 9)

No detriments to public to occur.

- (b) Facts and evidence relevant to these detriments:

Not applicable.

7. **Further information**

- (a) Name, postal address and contact telephone details of the person authorised to provide additional information in relation to this notification:

Robert Barnes, Barnes & Wenden

Level 2, 222 Clarence Street

Sydney NSW 2000

Dated.....

8.8.2007

Signed by/on behalf of the applicant

(Signature)

IAN SPENCER

(Full Name)

WAKEUP NOMINEES PTY LTD

(Organisation)

DIRECTOR

(Position in Organisation)

Form G

Commonwealth of Australia
Trade Practices Act 1974 — subsection 93 (1)

NOTIFICATION OF EXCLUSIVE DEALING

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 subsections 47 (2), (3), (4), (5), (6), (7), (8) or (9) of that Act in which the person giving notice engages or proposes to engage.

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

1. Applicant

N93091

- (a) Name of person giving notice:
(Refer to direction 2)

HIGHWAY SERVOS Pty Ltd

- (b) Short description of business carried on by that person:
(Refer to direction 3)

Retail sale of fuel and petroleum products and associated consumer items.

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

69-71 GRANGE RD
WELLAND SA 5007

2. Notified arrangement

- (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.

ATTACHMENTS
NOT PROVIDED

[Handwritten signature]

(Refer to direction 4)

3. Persons, or classes of persons, affected or likely to be affected by the notified conduct

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

(Refer to direction 5)

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:

(Refer to direction 6)

Not possible.

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

Not applicable.

4. Public benefit claims

- (a) Arguments in support of notification:
(Refer to direction 7)

Provides consumers a petrol discount on the pump price at no additional cost to consumers.

- (b) Facts and evidence relied upon in support of these claims:

Not possible.

5. Market definition

Provide a description of the market(s) in which the goods or services described at 2 (a) are supplied or acquired and other affected markets including: significant suppliers and acquirers; substitutes available for the relevant goods or services; any restriction on the supply or acquisition of the relevant goods or services (for example geographic or legal restrictions):
(Refer to direction 8)

Petrol retailing.

6. Public detriments

- (a) Detriments to the public resulting or likely to result from the notification, in particular the likely effect of the notified conduct on the prices of the goods or services described at 2 (a) above and the prices of goods or services in other affected markets:
(Refer to direction 9)

No detriments to public to occur.

- (b) Facts and evidence relevant to these detriments:

Not applicable.

7. **Further information**

- (a) Name, postal address and contact telephone details of the person authorised to provide additional information in relation to this notification:

Robert Barnes, Barnes & Wenden
Level 2, 222 Clarence Street
Sydney NSW 2000

Dated..... 8. 8. 2007

Signed by/on behalf of the applicant

(Signature) Vishal Mehta

(Full Name) VISHAL MEHTA

(Organisation) DIRECTOR

(Position in Organisation)

DIRECTIONS

1. In lodging this form, applicants must include all information, including supporting evidence that they wish the Commission to take into account in assessing their notification.

Where there is insufficient space on this form to furnish the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the applicant.

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. Describe that part of the business of the person giving the notice in the course of the which the conduct is engaged in.
4. If particulars of a condition or of a reason of the type referred to in section 47 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. Describe the business or consumers likely to be affected by the conduct.
6. State an estimate of the highest number of persons with whom the entity giving the notice is likely to deal in the course of engaging in the conduct at any time during the next year.
7. Provide details of those public benefits claimed to result or to be likely to result from the proposed conduct including quantification of those benefits where possible.
8. Provide details of the market(s) likely to be affected by the notified conduct, in particular having regard to goods or services that may be substitutes for the good or service that is the subject matter of the notification.
9. Provide details of the detriments to the public which may result from the proposed conduct including quantification of those detriments where possible.

Form G

Commonwealth of Australia
Trade Practices Act 1974 — subsection 93 (1)

NOTIFICATION OF EXCLUSIVE DEALING

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 subsections 47 (2), (3), (4), (5), (6), (7), (8) or (9) of that Act in which the person giving notice engages or proposes to engage.

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

1. Applicant

- (a) Name of person giving notice:
(Refer to direction 2)

N93092

APPLE TREE CREEK PETROL COMPANY PTY LTD
.....
.....
.....

- (b) Short description of business carried on by that person:
(Refer to direction 3)

Retail sale of fuel and petroleum products and associated
consumer items.
.....
.....

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

271 MacDonnell Road
Clontarf Q 4019
.....
.....

2. Notified arrangement

- (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.

(Refer to direction 4)

ATTACHMENTS
NOT PROVIDED
BY ACCC

3. Persons, or classes of persons, affected or likely to be affected by the notified conduct

- (a) Class or classes of persons to which the conduct relates:
(Refer to direction 5)
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:
(Refer to direction 6)
Not possible.

- (c) Where number of persons stated in item 3 (b) (i) is less than 50, their names and addresses:
Not applicable.

4. Public benefit claims

(a) Arguments in support of notification:
(Refer to direction 7)

Provides consumers a petrol discount on the pump price at no
additional cost to consumers.

(b) Facts and evidence relied upon in support of these claims:

Not possible.

5. Market definition

Provide a description of the market(s) in which the goods or services described at 2 (a) are supplied or acquired and other affected markets including: significant suppliers and acquirers; substitutes available for the relevant goods or services; any restriction on the supply or acquisition of the relevant goods or services (for example geographic or legal restrictions):
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Petrol retailing.

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(a) Detriments to the public resulting or likely to result from the notification, in particular the likely effect of the notified conduct on the prices of the goods or services described at 2 (a) above and the prices of goods or services in other affected markets:
(Refer to direction 9)

No detriments to public to occur.

(b) Facts and evidence relevant to these detriments:

Not applicable.

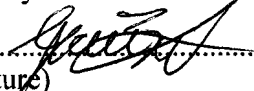
7. Further information

- (a) Name, postal address and contact telephone details of the person authorised to provide additional information in relation to this notification:

Robert Barnes, Barnes & Wenden
Level 2, 222 Clarence Street
Sydney NSW 2000

Dated..... 8.8.2007

Signed by/on behalf of the applicant


(Signature)

Gideon van Zyl
(Full Name)

BP Clontarf
(Organisation)

Director
(Position in Organisation)

DIRECTIONS

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Where there is insufficient space on this form to furnish the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the applicant.

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4. If particulars of a condition or of a reason of the type referred to in section 47 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.
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