

The Director
Australian Competition & Consumer Commission

FILE No:
DOC:
MARS/PRISM:

Dear Sir

Re: Third Line Forcing Notification

Auster Enterprise Pty Ltd("Assignor") is the current operator of a service station site ("Site") where petroleum products supplied by BP Australia Pty Ltd ("BP") are currently retailed by Assignor to the general public.

Assignor and Liquid Fuel Pty Ltd("Assignee") are proposing to enter into a lease over the Site.

Assignor is currently a party to an exclusive supply agreement with BP that allows Assignor to use BP's trademarks in retailing the petroleum products to the general public at the Site ("Supply Agreement").

The Supply Agreement provides that, in the event that the Site is no longer operated by Assignor, the Supply Agreement will be terminated. In such event, damages would be payable by Assignor to BP. Assignor wishes to avoid this liability by assigning the Supply Agreement to Assignee and wishes to make it a condition of the lease that the lessee take an assignment of the Supply Agreement. The obligations on the Assignee to take exclusive supply from BP will terminate on the same date those obligations would have terminated if Assignor had remained the operator at the Site.

As this may result in a technical contravention of subsections 47(6) and (7) of the *Trade Practices Act*, I wish to lodge a notification under subsection 93(1) of that Act.

Enclosed are:

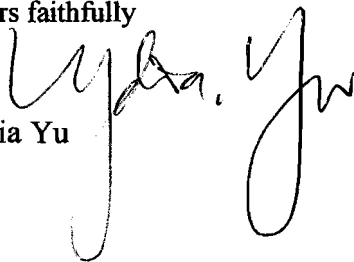
- Notification concerning the proposed lease arrangement lodged on behalf of Assignor; and
- a cheque for \$600.00 in payment of the applicable statutory fees.

Should you have any queries or require any further information, please do not hesitate to contact me on 0413-398-546.

Thank you.

Yours faithfully

Lydia Yu



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 engaged or proposed to engage.

1 (a) Name of person giving notice

Auster Enterprise Pty Ltd N93182

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

Retailing of petroleum and related products.

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

*19 Dean Ave
Mt Waverley VIC 3149*

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

*Supply of petroleum products by BP Australia Pty Ltd and lease of premises by Auster Enterprise Pty Ltd

(b) Description of the conduct or proposed conduct

*Giving a lease over premises owned by Auster Enterprise Pty Ltd to Liquid Fuel Pty Ltd on the condition that Liquid Fuel Pty Ltd will acquire petroleum products from BP Australia Pty Ltd for sale at the premises.

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

Liquid Fuel Pty Ltd T/As BP Berwick (Petrol Service Station)

(b) Number of those persons -

(i) At the present time

1.

(ii) Estimated within the next year

1.

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

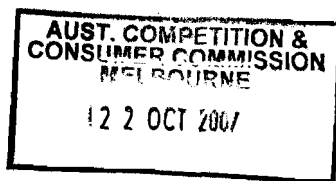
Liquid Fuel Pty Ltd-----Linda Qu
312 Centre Rd
Bentleigh VIC 3204

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

Auster Enterprise Pty Ltd-----Lydia Yu
19 Dean Ave
Mt Waverley VIC 3149

Dated 16/10....., 2007 Signed by/on behalf of the person giving this notice

Lydia Yu
.....
(Signature)
LYDIA YU
(Full Name)



DIRECTOR
(Description)