



Australian  
Competition &  
Consumer  
Commission

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Our Ref: N90330  
Contact Officer: Jaime Martin  
Contact Phone: (03) 9290 1477

29 May 2008

Colleen Platford  
Partner  
Gilbert and Tobin  
GPO Box 3810  
Sydney NSW 2001

Via email: [cplatford@gtlaw.com.au](mailto:cplatford@gtlaw.com.au)

Dear Ms Platford

**Notice regarding exclusive dealing notification N90330 lodged by -  
Eastern Suburbs Newspapers**

The Australian Competition and Consumer Commission (the ACCC) has concluded its review of the above exclusive dealing notification.

As you are aware, subsection 93(3) of the *Trade Practices Act 1974* (the Act) provides that the ACCC may revoke a notification for exclusive dealing if it is satisfied that the conduct has the purpose, effect or likely effect of substantially lessening competition and the likely benefit to the public will not outweigh the detriment to the public from the lessening of competition.

Based on an assessment of all the information currently before it, the ACCC is satisfied that the notification is likely to have the effect of substantially lessening competition and results in a net detriment to the public.

Accordingly, the ACCC has issued a notice under subsection 93(3) of the Act revoking exclusive dealing notification N90330 lodged by Eastern Suburbs Newspapers on 12 November 1993.

As a result, the immunity provided by notification N90330 will cease on **29 June 2008**.

The ACCC's reasons are set out in the attached notice. A copy of the notice will also be made available at the ACCC website [www.accc.gov.au](http://www.accc.gov.au) (by following the 'Public registers', 'Authorisations and notifications registers' links).

### **Application for review**

Pursuant to section 101A of the Act, a person dissatisfied with this notice may apply to the Australian Competition Tribunal for its review. An application for review must be made within 21 days of the date of the notice; that is, on or before **19 June 2008**.

This letter has been placed on the ACCC's public register. Should you have any queries in relation to this matter, please do not hesitate to contact Ms Jaime Martin on (03) 9290 1477 or at [jaime.martin@accc.gov.au](mailto:jaime.martin@accc.gov.au).

Yours sincerely

A handwritten signature in blue ink, appearing to be 'R Chadwick', written over a horizontal line.

Dr Richard Chadwick  
General Manager  
Adjudication Branch