



Australian Competition and Consumer Commission
Level 35, The Tower
360 Elizabeth Street
Melbourne VIC 3000

10 December 2009

FILE No:
DOC:
MARS/PRISM:

Dear Sir/Madam,

Third Line Forcing Notifications - sub-sections 47(6) and (7) of the Trade Practices Act 1974

As you are aware, Telstra Dealers and Telstra Licensed Shops ("TLS") are independent third parties authorised by Telstra to sell Telstra products and services. You will also be aware that over the years Telstra has lodged many notifications on behalf of Telstra Dealers and TLS to have authorised conduct pursuant to which certain Telstra Dealers and TLS participate in campaigns and offer goods or services to customers on condition that they acquire or agree to acquire telecommunications services or products, or particular telecommunications services plans from Telstra.

I refer, by way of example only, to Telstra's letter to the Commission dated 3 May 2002 ("**May 2002 Letter**"), and the Commission's letter to Amanda Bodger of Mallesons Stephen Jaques dated 30 September 2002 ("**Commission Response**").

The May 2002 Letter:

- (a) stated that certain Telstra Dealers proposed to offer a range of goods or services to consumers on condition that they acquire mobile services from Telstra ("**May 2002 Notified Conduct**"); and
- (b) enclosed notices in relation to the Notified Conduct in accordance with sub-section 93(1) of the *Trade Practices Act (Cth) 1974* ("**Trade Practices Act**").

The Commission Response notified Telstra that immunity from the Trade Practices Act came into effect in relation to the May 2002 Notified Conduct on 17 May 2002, and that, on the basis of the information provided to the Commission, the Commission did not intend to take any further action in relation to the matter at that stage.

Since that time, Telstra has lodged a number of further notifications on behalf of Telstra Dealers and TLS with respect to similar conduct.

The current notices

This letter encloses thirty-nine new notices that Telstra is lodging in accordance with sub-section 93(1) of the Trade Practices Act on behalf of the entities listed in the Schedule ("**Dealers**").

The Dealers wish to engage in the conduct set out in the notices and have authorised Telstra to lodge the notices enclosed with this letter.

MALLESONS STEPHEN JAQUES

Australian Competition and Consumer Commission

10 December 2009

Also enclosed is a cheque for \$3900 for the fees payable in respect of the lodgement of the notices.

Please contact me on (03) 9643 4069 if you have any queries or comments.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M Bodger', with a long, sweeping flourish extending to the right.

Amanda Bodger

Partner

Direct Line +61 3 9643 4069

Direct fax +61 3 9643 5999

MALLESONS STEPHEN JAQUES

Australian Competition and Consumer Commission

10 December 2009

SCHEDULE

Entity Name	ABN/ACN
Beekman Nominees Pty Ltd	ACN 005 561 526
Hades Pty Ltd	ACN 070 050 010
Intouch Digital Communications Pty Ltd	ACN 108 650 657
Alpha Select Pty Ltd	ACN 121 609 201
Phone World (Aust) Pty Ltd	ACN 064 686 219
Mcdonagh Computer Services Pty Limited	ACN 001 918 485
Benpuma Pty Ltd	ACN 053 991 370
Transtoa Pty Ltd	ACN 003 110 834
R & K Shearwood Pty Ltd	ACN 093 511 758
AB Matteo D&A Mazzitelli	ABN 74 288 401 775
Bettatech Communications Pty Ltd	ACN 057 018 630
Fastlink Communications Pty Ltd	ACN 069 755 237
Sasha RRR Consulting Pty Ltd	ACN 118 386 360
Ebas Pty Ltd	ACN 092 841 131
M.P Dunstan & S.M Dunstan	ABN 81 318 445 257
Brayma Pty Ltd	ACN 108 092 324
Computer Central Pty Ltd	ACN 056 635 084
Comworld Pty Ltd	ACN 085 563 051
Leading Edge Griffith Pty Ltd	ACN 087 716 943
Evotec Pty Ltd	ACN 088 317 917
Parracom Communications Pty Ltd	ACN 061 279 178
Axopta Pty Ltd	ACN 001 607 361

MALLESONS STEPHEN JAQUES

Australian Competition and Consumer Commission

10 December 2009

Whitesands Corporation Pty Ltd	ACN 082 198 285
Cadillac Communications Pty Ltd	ACN 003 917 959
Gary & Margarita Rickard	ABN 31 413 712 308
R & RJ King	ABN 96 177 308 694
Any Mobile Pty Ltd	ACN 106 019 836
Mountain Communications Pty Ltd	ACN 007 414 744
PJ & CE Carruthers PL	ABN 45 057 688 632
Codas Group Pty Ltd	ACN 125 312 861
KAP Enterprises Pty Ltd	ACN 099 367 781
Alltel Connect Pty Ltd	ACN 084 418 959
IT & T Pty Limited	ACN 112 595 427
Cellpoint Communications Pty Ltd	ACN 113 521 930
SWC Warrnambool Pty Ltd	ACN 070 394 900
B.T.W Communications Pty Ltd	ACN 054 421 304
Panaway Pty Ltd	ACN 081 829 969
Steel City Communications Pty Ltd	ACN 003 525 344
Moonie Pty Ltd	ACN 068 834 962

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)

N94343 **Beekman Nominees Pty Ltd (ACN 005 561 526)**

Beekman Nominees Pty Ltd (ACN 005 561 526) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

(i) At present time:

Substantially greater than 50.

(ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

7 Further information

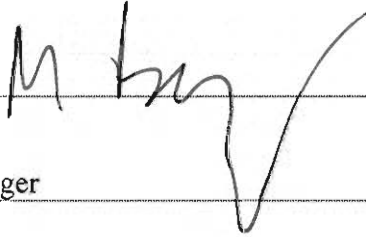
- (a) Name, postal address and contact telephone details of the person authorised to provide additional information in relation to this notification:

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant

(Signature)



Amanda Bodger

(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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:

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PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

1 Applicant

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

N94344 **Hades Pty Ltd (ACN 070 050 010)**

Hades Pty Ltd (ACN 070 050 010) (“**Dealer**”) operates a Telstra Dealership with Telstra’s authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) (“**Dealer Products**”) and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

(i) At present time:

Substantially greater than 50.

(ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

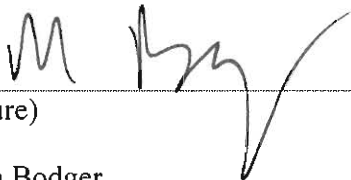
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Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

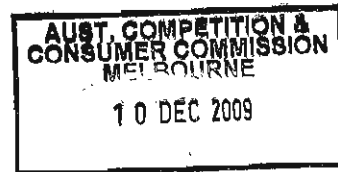
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(Position in organisation)



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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.
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Trade Practices Act 1974 - subsection 93(1)
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PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

1 Applicant

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

N94345 **Intouch Digital Communications Pty Ltd (ACN 108 650 657)**

Intouch Digital Communications Pty Ltd (ACN 108 650 657) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

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- (b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

- (b) Number of those persons:

- (i) At present time:

Substantially greater than 50.

- (ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

- (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)

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(Refer to direction 9)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

7 Further information

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Amanda Bodger
Mallesons Stephen Jaques
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600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

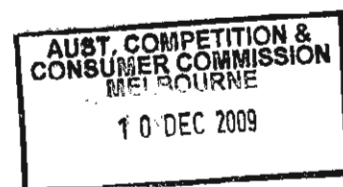
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(Position in organisation)



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PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

1 Applicant

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

N94346 **Alpha Select Pty Ltd (ACN 121 609 201)**

Alpha Select Pty Ltd (ACN 121 609 201) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
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600 Bourke Street
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Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

- (i) At present time:
Substantially greater than 50.
- (ii) Estimated within the next year:
(Refer to direction 6)
Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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)

N94347 **Phone World (Aust) Pty Ltd (ACN 064 686 219)**

Phone World (Aust) Pty Ltd (ACN 064 686 219) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

(i) At present time:

Substantially greater than 50.

(ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

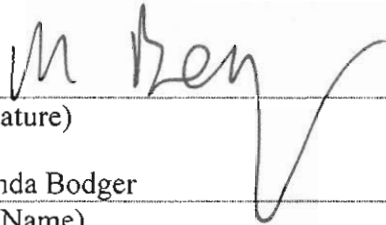
7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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)

N94348 **Mcdonagh Computer Services Pty Limited (ACN 001 918 485)**

Mcdonagh Computer Services Pty Limited (ACN 001 918 485) (“**Dealer**”) operates a Telstra Dealership with Telstra’s authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) (“**Dealer Products**”) and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

(i) At present time:

Substantially greater than 50.

(ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

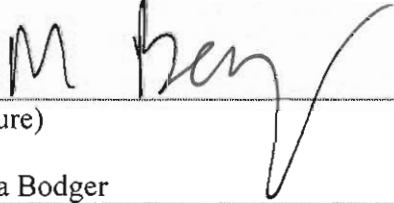
7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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.

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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.
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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)

N94349 **Benpuma Pty Ltd (ACN 053 991 370)**

Benpuma Pty Ltd (ACN 053 991 370) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

- (b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

- (b) Number of those persons:

- (i) At present time:

Substantially greater than 50.

- (ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

- (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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

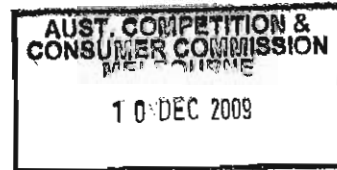
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(Position in organisation)



DIRECTIONS

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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.
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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)

N94350 **Transtoa Pty Ltd (ACN 003 110 834)**

Transtoa Pty Ltd (ACN 003 110 834) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

(i) At present time:

Substantially greater than 50.

(ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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)

N94351

R & K Shearwood Pty Ltd (ACN 093 511 758)

R & K Shearwood Pty Ltd (ACN 093 511 758) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

(i) At present time:

Substantially greater than 50.

(ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.


7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

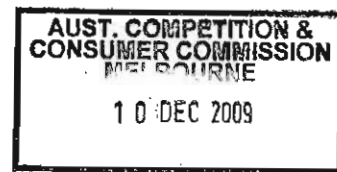
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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)

N94352

AB Matteo D&A Mazzitelli (ABN 74 288 401 775)

AB Matteo D&A Mazzitelli (ABN 74 288 401 775) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

- (b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

- (b) Number of those persons:

- (i) At present time:
Substantially greater than 50.
- (ii) Estimated within the next year:
(Refer to direction 6)

Substantially greater than 50.

- (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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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.

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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)

N94353 **Bettatech Communications Pty Ltd (ACN 057 018 630)**

Bettatech Communications Pty Ltd (ACN 057 018 630) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

- (i) At present time:
Substantially greater than 50.
- (ii) Estimated within the next year:
(Refer to direction 6)
Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

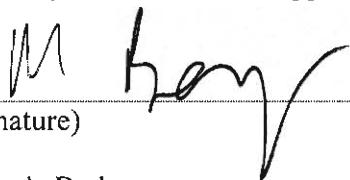
7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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.

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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)

N94354 **Fastlink Communications Pty Ltd (ACN 069 755 237)**

Fastlink Communications Pty Ltd (ACN 069 755 237) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

- (b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

- (b) Number of those persons:

- (i) At present time:

Substantially greater than 50.

- (ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

- (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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

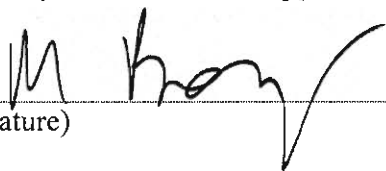
7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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)

N94355 **Sasha RRR Consulting Pty Ltd (ACN 118 386 360)**

Sasha RRR Consulting Pty Ltd (ACN 118 386 360) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

(i) At present time:

Substantially greater than 50.

(ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

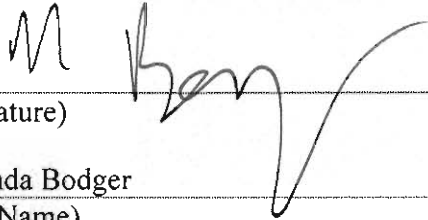
7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

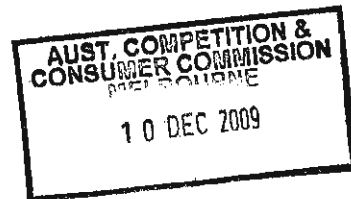
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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)

N94356 **Ebas Pty Ltd (ACN 092 841 131)**

Ebas Pty Ltd (ACN 092 841 131) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

- (b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

- (b) Number of those persons:

- (i) At present time:
Substantially greater than 50.
- (ii) Estimated within the next year:
(Refer to direction 6)
Substantially greater than 50.

- (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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

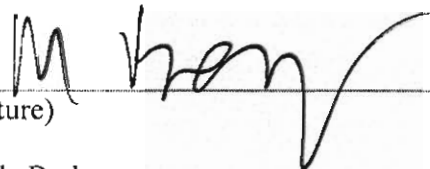
7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

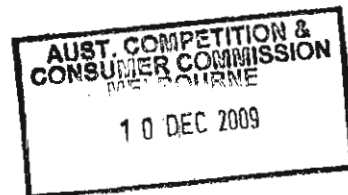
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(Position in organisation)



DIRECTIONS

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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.
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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)

N94357 **M.P Dunstan & S.M Dunstan (ABN 81 318 445 257)**

M.P Dunstan & S.M Dunstan (ABN 81 318 445 257) (“**Dealer**”) operates a Telstra Dealership with Telstra’s authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) (“**Dealer Products**”) and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

(i) At present time:

Substantially greater than 50.

(ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(Position in organisation)



DIRECTIONS

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3. Describe that part of the business of the person giving the notice in the course of the which the conduct is engaged in.
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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.
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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)

N94358 **Brayma Pty Ltd (ACN 108 092 324)**

Brayma Pty Ltd (ACN 108 092 324) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

- (b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

- (b) Number of those persons:

- (i) At present time:

Substantially greater than 50.

- (ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

- (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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

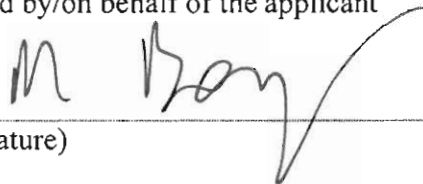
7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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)

N94359 **Computer Central Pty Ltd (ACN 056 635 084)**

Computer Central Pty Ltd (ACN 056 635 084) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

(i) At present time:

Substantially greater than 50.

(ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

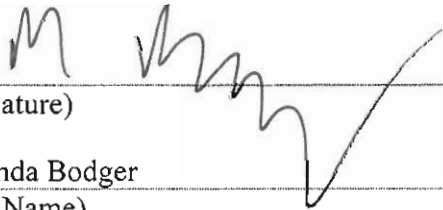
7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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.

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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)

N94360 **Comworld Pty Ltd (ACN 085 563 051)**

Comworld Pty Ltd (ACN 085 563 051) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

(i) At present time:

Substantially greater than 50.

(ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

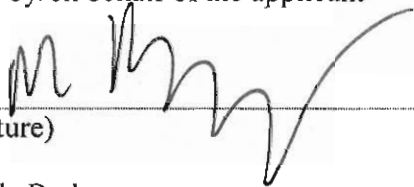
7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

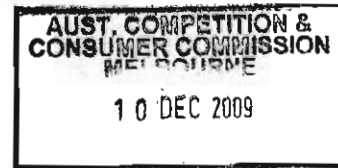
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(Position in organisation)



DIRECTIONS

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Form G
Commonwealth of Australia
Trade Practices Act 1974 - subsection 93(1)
NOTIFICATION OF EXCLUSIVE DEALING

To the Australian Competition and Consumer Commission:

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PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

1 Applicant

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

N94361 **Leading Edge Griffith Pty Ltd (ACN 087 716 943)**

Leading Edge Griffith Pty Ltd (ACN 087 716 943) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

- (i) At present time:
Substantially greater than 50.
- (ii) Estimated within the next year:
(Refer to direction 6)
Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

5 Market definition

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(Refer to direction 8)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

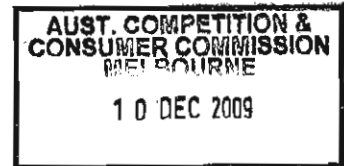
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(Position in organisation)



DIRECTIONS

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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)

N94362 **Evotec Pty Ltd (ACN 088 317 917)**

Evotec Pty Ltd (ACN 088 317 917) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

- (b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

- (b) Number of those persons:

- (i) At present time:
Substantially greater than 50.
- (ii) Estimated within the next year:
(Refer to direction 6)
Substantially greater than 50.

- (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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

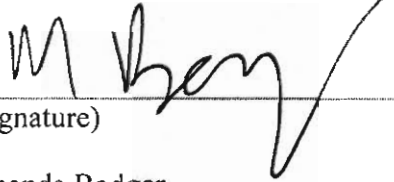
7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

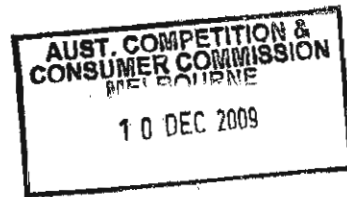
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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)

N94363 **Parracom Communications Pty Ltd (ACN 061 279 178)**

Parracom Communications Pty Ltd (ACN 061 279 178) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

(i) At present time:

Substantially greater than 50.

(ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

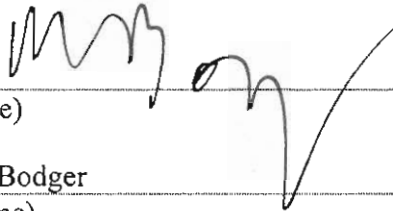
7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

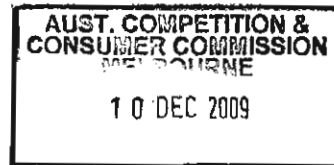
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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.

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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)

N94364 **Axopta Pty Ltd (ACN 001 607 361)**

Axopta Pty Ltd (ACN 001 607 361) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

- (b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

- (b) Number of those persons:

- (i) At present time:

Substantially greater than 50.

- (ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

- (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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

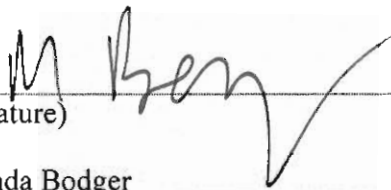
7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

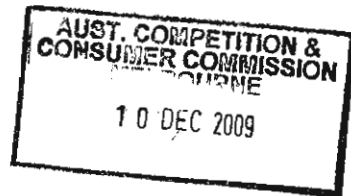
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(Position in organisation)



DIRECTIONS

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3. Describe that part of the business of the person giving the notice in the course of the which the conduct is engaged in.
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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.
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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)

N94365 Whitesands Corporation Pty Ltd (ACN 082 198 285)

Whitesands Corporation Pty Ltd (ACN 082 198 285) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

(i) At present time:

Substantially greater than 50.

(ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

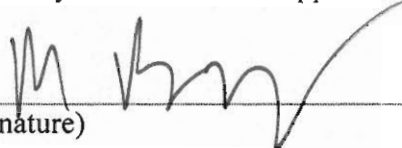
7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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.

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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.
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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)

N94366

Cadillac Communications Pty Ltd (ACN 003 917 959)

Cadillac Communications Pty Ltd (ACN 003 917 959) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

- (i) At present time:
Substantially greater than 50.
- (ii) Estimated within the next year:
(Refer to direction 6)
Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

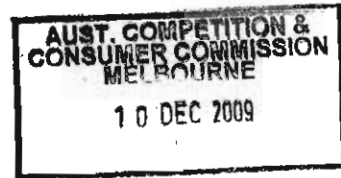
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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)

N94367 **Gary & Margarita Rickard (ABN 31 413 712 308)**

Gary & Margarita Rickard (ABN 31 413 712 308) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

- (b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

- (b) Number of those persons:

- (i) At present time:
Substantially greater than 50.
- (ii) Estimated within the next year:
(Refer to direction 6)
Substantially greater than 50.

- (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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

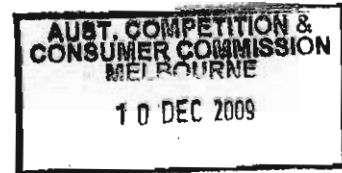
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(Position in organisation)



DIRECTIONS

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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)

N94368 **R & RJ King (ABN 96 177 308 694)**

R & RJ King (ABN 96 177 308 694) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

(i) At present time:

Substantially greater than 50.

(ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

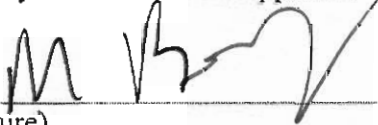
7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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.

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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.
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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)

N94369 **Any Mobile Pty Ltd (ACN 106 019 836)**

Any Mobile Pty Ltd (ACN 106 019 836) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

(i) At present time:

Substantially greater than 50.

(ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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.

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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.
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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)

N94370 **Mountain Communications Pty Ltd (ACN 007 414 744)**

Mountain Communications Pty Ltd (ACN 007 414 744) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

(i) At present time:

Substantially greater than 50.

(ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

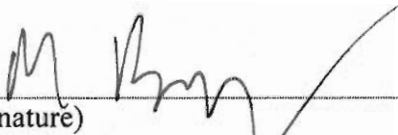
7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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)

N94371 **PJ & CE Carruthers PL (ABN 45 057 688 632)**

PJ & CE Carruthers PL (ABN 45 057 688 632) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

- (b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

- (b) Number of those persons:

- (i) At present time:

Substantially greater than 50.

- (ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

- (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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

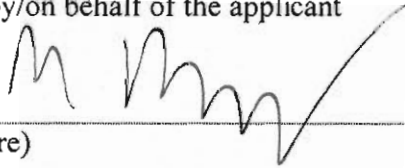
7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

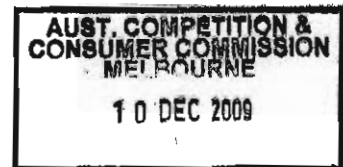
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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.

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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)

N94372 **Codas Group Pty Ltd (ACN 125 312 861)**

Codas Group Pty Ltd (ACN 125 312 861) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

- (b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

- (b) Number of those persons:

- (i) At present time:
Substantially greater than 50.
- (ii) Estimated within the next year:
(Refer to direction 6)
Substantially greater than 50.

- (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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

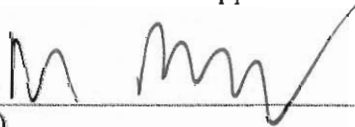
7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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.

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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)

N94373 **KAP Enterprises Pty Ltd (ACN 099 367 781)**

KAP Enterprises Pty Ltd (ACN 099 367 781) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

(i) At present time:

Substantially greater than 50.

(ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

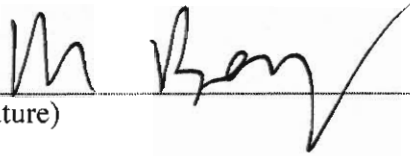
7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

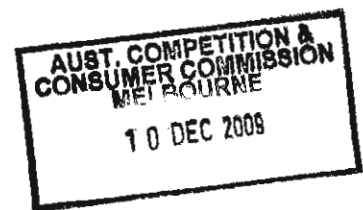
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(Position in organisation)



DIRECTIONS

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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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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)

N94374 **Alltel Connect Pty Ltd (ACN 084 418 959)**

Alltel Connect Pty Ltd (ACN 084 418 959) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

- (b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

- (b) Number of those persons:

- (i) At present time:

Substantially greater than 50.

- (ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

- (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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

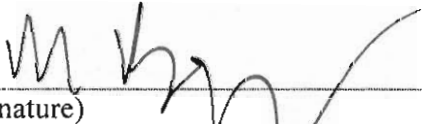
7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

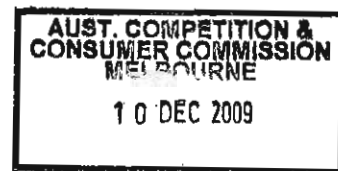
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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)

N94375 **IT & T Pty Limited (ACN 112 595 427)**

IT & T Pty Limited (ACN 112 595 427) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

- (b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

- (b) Number of those persons:

- (i) At present time:
Substantially greater than 50.
- (ii) Estimated within the next year:
(Refer to direction 6)
Substantially greater than 50.

- (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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

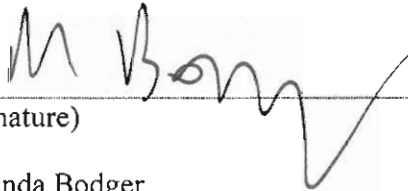
7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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)

N94376 **Cellpoint Communications Pty Ltd (ACN 113 521 930)**

Cellpoint Communications Pty Ltd (ACN 113 521 930) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

- (b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

- (b) Number of those persons:

- (i) At present time:
Substantially greater than 50.
- (ii) Estimated within the next year:
(Refer to direction 6)
Substantially greater than 50.

- (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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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.

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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.
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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)

N94377

SWC Warrnambool Pty Ltd (ACN 070 394 900)

SWC Warrnambool Pty Ltd (ACN 070 394 900) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

- (b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

- (b) Number of those persons:

- (i) At present time:

Substantially greater than 50.

- (ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

- (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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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(Refer to direction 8)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

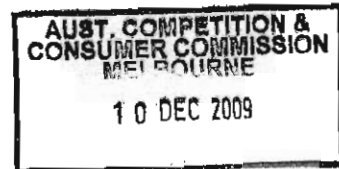
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(Position in organisation)



DIRECTIONS

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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.
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.
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Form G
Commonwealth of Australia
Trade Practices Act 1974 - subsection 93(1)
NOTIFICATION OF EXCLUSIVE DEALING

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PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

1 Applicant

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

N94378

B.T.W Communications Pty Ltd (ACN 054 421 304)

B.T.W Communications Pty Ltd (ACN 054 421 304) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

(i) At present time:

Substantially greater than 50.

(ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

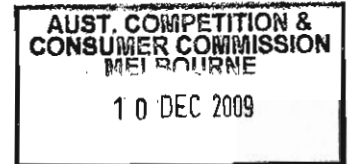
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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)

N94379 **Panaway Pty Ltd (ACN 081 829 969)**

Panaway Pty Ltd (ACN 081 829 969) ("**Dealer**") operates a Telstra Dealership with Telstra's authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) ("**Dealer Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

- (i) At present time:
Substantially greater than 50.
- (ii) Estimated within the next year:
(Refer to direction 6)
Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

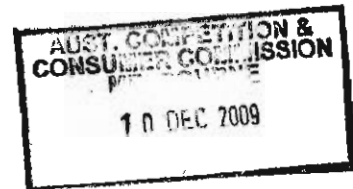
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(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)

N94380 **Steel City Communications Pty Ltd (ACN 003 525 344)**

Steel City Communications Pty Ltd (ACN 003 525 344) (“**Dealer**”) operates a Telstra Dealership with Telstra’s authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) (“**Dealer Products**”) and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

- (b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

- (b) Number of those persons:

- (i) At present time:
Substantially greater than 50.
- (ii) Estimated within the next year:
(Refer to direction 6)
Substantially greater than 50.

- (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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

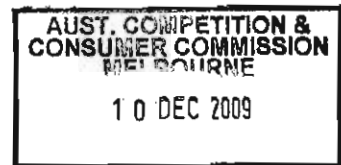
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(Position in organisation)



DIRECTIONS

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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.
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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)

Moonie Pty Ltd (ACN 068 834 962)

Moonie Pty Ltd (ACN 068 834 962) (“**Dealer**”) operates a Telstra Dealership with Telstra’s authorisation and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

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

Dealer supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs.

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2 Notified arrangement

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

Dealer will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs) (“**Dealer Products**”) and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food

items) (“**Promotional Products**”) to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

Dealer proposes to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

(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)

Retail customers (including small and medium enterprise customers).

(b) Number of those persons:

(i) At present time:

Substantially greater than 50.

(ii) Estimated within the next year:

(Refer to direction 6)

Substantially greater than 50.

(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)

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire Dealer Products and/or Promotional Products at a discount or at a lower cost. It may also lead to better network support and may encourage greater innovation from other telecommunications providers.

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

Dealer Products include mobile phones, cordless phones, fax machines, phone cards, other telecommunications equipment, software, hand held computers, data products and internet starter packs. Promotional Products include vouchers, cinema tickets, electrical goods and accessories and food items. These are valuable products to many consumers and the ability to acquire them at a discount or at a lower cost may be a significant benefit to the individual consumer.

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)

There are a number of markets that may be relevant including the markets for the supply to retail consumers of phones (fixed and mobile), fax machines, hand held computers and other similar communications devices.

These markets are characterised by strong competition. There are several leading retailers of these products as well as many smaller competitors.

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)

There are no public detriments likely to result from the proposed conduct.

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

The proposed conduct will not lessen competition because:

- (i) the retail markets for the Dealer Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) Dealer does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

7 Further information

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

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated 10 December 2009

Signed by/on behalf of the applicant



(Signature)

Amanda Bodger

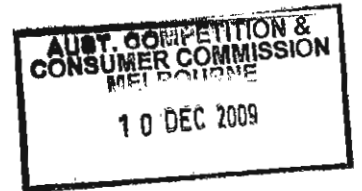
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(Position in organisation)



DIRECTIONS

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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.