

SYDNEY | MELBOURNE | BRISBANE

Our ref NLW:JAL:084111

8 April 2009

Ms Monica Bourke
Australian Competition & Consumer Commission

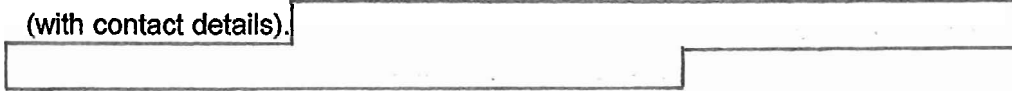
BY EMAIL: monica.bourke@accc.gov.au

Dear Ms Bourke

Exclusive Dealing Notification by Marine Power International Pty Limited dated 23 March 2009

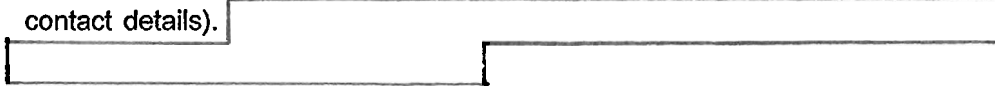
We refer to our telephone conversation on 7 April 2009.

We are instructed to respond to your requests for further information in relation to the notification as follows:

1. Mercury dealers will not be forced to become Premium Mercury dealers. Any Mercury dealer who is offered appointment as a Premium Dealer may reject the offer. In such a case, the terms of the existing dealer agreement will continue to apply;
2. Marine Power International Pty Limited has a network of Mercury dealers throughout Australia. As requested, we enclose a list of all of these dealers (with contact details). 
3. After the introduction of the proposed Premium Dealer Agreement, Marine Power International intends to offer its dealer benefits program to standard Mercury dealers and to Premium Mercury dealers; and

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4. Marine Power International has consulted with a number of its dealers about its proposed Premium Dealer Agreement. A list of Mercury dealers whom our client is likely to consider offering Premium Mercury dealerships is enclosed (with contact details).



Please let us know if you require any further information at this time.

Otherwise, we look forward to receiving your decision on the notification in due course.

Yours faithfully
TressCox

A handwritten signature in black ink, appearing to read "John Lancefield", is written over a light grey rectangular background.

John Lancefield
Email: john_lancefield@tresscox.com.au

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