

# Form G

Commonwealth of Australia

*Competition and Consumer Act 2010 – 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 *Competition and Consumer Act 2010*, of particulars of conduct or of proposed conduct of a kind referred to in 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.

### 1. Applicant

- (a) Name of person giving notice:  
N97721 Royal Agricultural & Horticultural Society of SA T/A Royal Adelaide Show  
Adelaide Showground, Goodwood Road, Goodwood. SA 5034  
ABN: 68 531 710 498
- (b) Short description of business carried on by that person:  
The RA&HS is responsible for presenting the Royal Adelaide Show annually and manages the Adelaide Showground including engaging and promoting exhibitions and the venue annually.
- (c) Address in Australia for service of documents on that person in relation to this matter:  
c/- Rose Owen  
General Counsel  
News Limited  
2 Holt Street  
Surry Hills NSW 2010  
Phone: 61 2 9288 3107  
email: [rose.owen@news.com.au](mailto:rose.owen@news.com.au)

### 2. Notified Arrangement

- (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates:  
The Royal Adelaide Show proposes to provide free entry to the Royal Adelaide Show on September 14 as described below in paragraph 2(b).
- (b) Description of the conduct or proposed conduct:  
The Royal Adelaide Show proposes to provide free entry to the Royal Adelaide Show as described below.  
Present token at the Royal Adelaide Show at the Wayville Showgrounds to get free entry on Sunday, September 14. Only valid on Sunday, September 14 2014. Offer

strictly valid with original token from the Sunday Mail and limited to the first 500 people with a valid token. Strictly one free entry to Royal Adelaide Show per token. Not valid with other promotions offers or packages.

The promotional offers are exclusive to the Sunday Mail in that Royal Adelaide Show will not make the same offer in another publication or online media at the same time.

**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:  
Patrons of the Royal Adelaide Show
- (b) Number of those Persons:
  - (i) At present time:  
Substantially more than 50
  - (ii) Estimated within the next year:  
Substantially more 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**

There are a number of significant public benefits which result from the proposed conduct:

- (a) The first 500 people with a valid coupon upon purchase will be offered free entry to the Royal Adelaide Show;
- (b) the discount may encourage competitors of the Sunday Mail, including other newspapers, magazines and online media, to offer customers similar promotions; and
- (c) Competitors of the Royal Adelaide Show may be encouraged to offer customers discounts through the Sunday Mail as well as other newspapers or magazines.

**5. Market definition**

It is not necessary to precisely define the applicable relevant markets affected as even in the narrowest potential market, the notified conduct will not result in any lessening of competition.

**6. Public detriments**

The notified conduct would not result in public detriment, anti-competitive or otherwise, for the following reasons.

- Members of the public would be under no obligation to accept the offer from Royal Adelaide Show.
- The general public would be free to acquire services from Royal Adelaide Show without any obligation to acquire the Sunday Mail.

Many advertisers promote their products through coupons or promotions offered in newspapers, magazine and online media to increase awareness of new products or encourage general brand awareness and loyalty.

Many printed newspapers, magazines and online media services in Australia offer discount coupons or promotions to third parties' goods and services. This is to encourage loyalty to the publication or online service by customers and advertisers and increases competition between newspapers, media and online media services.

The notified conduct would have no appreciable effect on competition between providers of news and information services.

The notified conduct would have no appreciable effect on competition between providers of sporting events for spectators.

**7. Further Information**

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

c/- Rose Owen  
General Counsel  
  
News Limited  
2 Holt Street  
Surry Hills NSW 2010  
Phone: 61 2 9288 3107  
email: [rose.owen@news.com.au](mailto:rose.owen@news.com.au)

Dated 25 August 2014

Signed by/on behalf of the applicant

  
.....

(Signature)

ROSE ANNE OWEN  
.....

(Full Name)

NEWS LIMITED  
.....

(Organisation)

GENERAL COUNSEL  
.....

(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 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 *Competition and Consumer Act 2010* 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 effected 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.