

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 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)

N97230 Monkey Baa Theatre for Young People Limited trading as Monkey Baa Theatre Company

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

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- (c) Address in Australia for service of documents on that person:
Terrace 3, 1-25 Harbour St, Sydney, NSW, 2000

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2. Notified arrangement

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

Monkey Baa Theatre Company is entering an agreement with MasterCard to offer cardholders a promotion through their priceless cities program. Cardholders booking tickets for the production of Pete The Sheep at the

Lend Lease Darling Quarter Theatre will meet the cast, and receive a complimentary copy of the book Pete The Sheep for each child.

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(b) Description of the conduct or proposed conduct:

Cardholders wishing to take advantage of the promotion will have to pay using their MasterCard commencing 4 February 2014.

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(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)

Cardholders purchasing the MasterCard offer will be affected as the offer is only available if they use their MasterCard to pay.

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(b) Number of those persons:

(i) At present time:

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(ii) Estimated within the next year:

(Refer to direction 6)

300.....
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- (c) Where number of persons stated in item 3 (b) (i) is less than 50, their names and addresses:

N/A

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4. Public benefit claims

- (a) Arguments in support of notification:
(Refer to direction 7)

It is anticipated more people will purchase tickets to the performances of Pete The Sheep at the Lend Lease Darling Quarter Theatre.

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

Proposal provided by MasterCard Agents.

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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)

Cardholders may be encouraged to attend performances of other productions at the Lend Lease Darling Quarter Theatre instead of attending competitor’s venues. Purchases using alternative credit cards may reduce.

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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)

None

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

N/A

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7. Further information

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

Penny Watts

Monkey Baa Theatre Company

Lend Lease Darling Quarter Theatre

Terrace 3, 1-25 Harbour St, Sydney, NSW, 2000

02 8624 9341

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Dated...7 January 2014.....

Signed by/on behalf of the applicant



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(Signature)

Penny Watts.....

(Full Name)

Monkey Baa Theatre Company.....

(Organisation)

General Manager.....

(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 *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 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.