



TRADE PRACTICES ACT 1974 - SECTION 87B UNDERTAKING

PERSON GIVING UNDERTAKING

This undertaking is given to the Australian Competition and Consumer Commission ("the Commission") by Kevyn Raymond Allen ("Mr Allen") under section 87B of the *Trade Practices Act 1974* ("the Act").

BACKGROUND

On 29 September 1999 the Commission instituted Federal Court proceedings Q239 of 1999 against fire protection companies and individuals in Queensland including Allfire Systems Pty Ltd ("Allfire"), and its director and shareholder Mr Allen ("the proceedings"). The proceedings involve price-fixing and market sharing conduct in the Queensland fire protection industry, in breach of sections 45(2)(a)(ii) and 45(2)(b)(ii) of the Act. The conduct is set out the statement of claim filed in the proceedings.

As part of the resolution of the proceedings, Mr Allen has agreed to provide to the Commission the undertaking contained herein that he will participate in trade practices compliance training program, to ensure, so far as reasonably possible, neither he nor Allfire are involved in further contraventions of Part IV of the Act.

Mr Allen has also undertaken to use his best endeavours to operate Allfire in such a manner as to ensure that it is able to meet its obligations under the orders to be recommended to the Court.

The Commission has agreed to accept the undertaking from Mr Allen under section 87B of the Act.

COMMENCEMENT OF UNDERTAKING

1. This undertaking comes into effect when:
 - (a) the undertaking is executed by Mr Allen; and
 - (b) the undertaking so executed is accepted by the Commission.

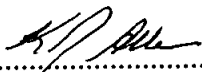
UNDERTAKINGS

2. Mr Allen undertakes that:

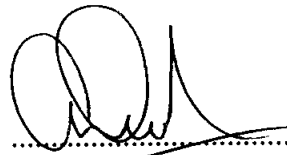
- (a) he will, within 30 days of the acceptance of this undertaking, nominate to the Commission for its approval a form of trade practices compliance training which he will undertake at his own expense, such training to deal, at a minimum, with the responsibilities of small businesses under Part IV of the Act, and to commence not later than 90 days from the date of acceptance of this undertaking;
- (b) he will, unless advised by the Commission within 21 days of his nomination that the nominated training is not acceptable, participate in the nominated trade practices compliance training within 90 days of the date of this undertaking;
- (c) he will, if advised by the Commission that the nominated training is not acceptable, participate in trade practices compliance training nominated by the Commission, within 90 days of such notification; and
- (d) he will use his best endeavours to ensure that Allfire is able, and at all times remains able, to comply with Allfire's obligations to pay pecuniary penalties by the due dates therefor under the orders agreed between Allfire, Mr Allen and the Commission, and to be recommended to the Court.

3. Mr Allen notes that the Commission may make public the terms of this undertaking.

SIGNED on the 9th day of June 2000.

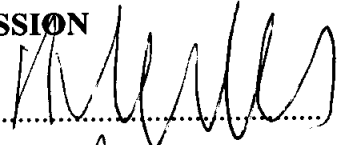


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KEVYN RAYMOND ALLEN
Director, Allfire Systems Pty Ltd



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WITNESS

ACCEPTED BY THE AUSTRALIAN COMPETITION AND CONSUMER COMMISSION



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Chairman

Dated 25 June 2000