

**TRADE PRACTICES ACT 1974****UNDERTAKING TO THE TRADE PRACTICES COMMISSION  
GIVEN PURSUANT TO SECTION 87B**

by

**SONIC SOUVENIR CO. PTY. LTD. ( ACN 007 823 636 )  
OF 335 OXFORD STREET LEEDERVILLE IN THE STATE OF WESTERN  
AUSTRALIA**

**BACKGROUND**

Sonic Souvenir Co. Pty. Ltd. ( "Sonic" ) is a company which manufactures, imports, and distributes a wide range of souvenir products such as teaspoons, cloth badges and clip style fridge magnets.

Following an investigation by the Trade Practices Commission ( "TPC" ) Sonic was informed that the TPC considered it had made false and misleading representations concerning the place of origin of a number of fridge magnets.

The TPC has stated that it considers that Sonic represented by means of a written submission dated 27 August 1993 that the fridge magnets were produced in Australia when the fridge magnets were manufactured in China and imported from Hong Kong. The TPC contends that the representations were false and misleading in contravention of s53(eb) of the Trade Practices Act.

Sonic has ceased to represent that the fridge magnets are produced in Australia and has fully co-operated with the TPC inquiry into this matter.

## **UNDERTAKING**

Sonic undertakes for the purpose of s87B of the Trade Practices Act:

1. to cease immediately any conduct which represents the fridge magnets are produced or made in Australia;
2. to take necessary steps to remove from the market place any representations that the fridge magnets are produced or made in Australia;
3. to establish an education and training program within its operations, designed to ensure awareness of its responsibilities and obligations under the Trade Practices Act among its directors, servants and agents
4. such program to be implemented within three ( 3 ) months of the date of giving this undertaking.
5. the education and training program is to be conducted by officers of the Trade Practices Commission.

Sonic acknowledge and accepts that this undertaking will be placed on the Commission's public register and agrees that the TPC may otherwise publish and refer to this document at its discretion.

Sonic also notes that this undertaking in no way derogates from the rights or remedies available to any person arising from the alleged conduct.

**IN WITNESS OF THESE UNDERTAKINGS:**

**THE COMMON SEAL OF  
SONIC SOUVENIR CO. PTY. LTD.  
was hereunto affixed by  
authority of the Board of Directors  
previously given in the presence of**



.....  
This *21* day of *JAN* 1994

**ACCEPTED BY THE TRADE PRACTICES COMMISSION PURSUANT TO  
SECTION 87B OF THE TRADE PRACTICES ACT**

.....  
( Professor Allan Fels )  
**CHAIRMAN**

This *29* day of *may* 1994