

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

GIVEN BY



**GLASS DECOR (SA) PTY LTD,
of 7 Barfield Crescent, Elizabeth West, in the State of South Australia,
(ACN 008 111 368).**

BACKGROUND

- (1) Glass Decor (SA) Pty Ltd ("the Company") trades under the name "Glass Decor"
- (2) The Company is in the business of commercial and domestic glazing and glass sales.
- (3) Following an investigation by the Trade Practices Commission ("the Commission"), the Company was informed that the Commission considered that the Company had made false or misleading representations in entries under the name "Glass Decor" in the 1993 edition of the Adelaide 'White Pages' and 'Yellow Pages' telephone directories ("the entries") which alluded to the company having various Adelaide suburban branch offices which did not actually exist.
- (4) The entries contained representations that the company had branch offices at Salisbury, Modbury, and Golden Grove ("the localities").
- (5) The Commission contends that a branch office is a place which the public can attend in person during normal business hours and where a person can conduct the full range of business transactions.
- (6) The Commission contends that the Company did not, during the relevant period of 1993, have branch offices at the localities and that representations to that effect in the entries are false or misleading in contravention of section 52 and/or section 53(ea) of the *Trade Practices Act 1974*.

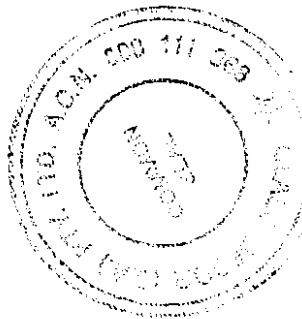
UNDERTAKINGS

- (7) Glass Decor (SA) Pty Ltd gives the following undertakings to the Trade Practices Commission for the purposes of section 87B of the *Trade Practices Act 1974*:
 - (a) In respect of all advertising by the Company, the Company will:
 - i) immediately cease representing that the Company has branches offices at the localities set out in paragraph (4) unless such branch office conforms with the meaning set out in paragraph (5);
 - ii) immediately cease making false or misleading representations as to the location of the Company's branch offices;
 - iii) take all necessary steps to remove from all future advertising, including entries in the Adelaide White Pages and Yellow Pages telephone directories, any false or misleading representations as to the location of the Company's branch offices;
 - (iv) bear the cost of carrying out the undertakings set out in this document.

- (b) The Company acknowledges that the representations by the company in Adelaide telephone directories of fictitious branch offices misrepresents that the company has branches in suburbs or localities where, in fact, those branches do not or did not actually exist;
- (c) The Company acknowledges that the Trade Practices Commission will make the undertaking available for public inspection;
- (d) The Company acknowledges that the Trade Practices Commission will from time to time publicly refer to the undertaking.
- (e) The Company acknowledges and accepts that this undertaking in no way derogates from the rights and remedies available to any other person arising from the alleged conduct.

IN WITNESS OF THESE UNDERTAKINGS

THE COMMON SEAL OF GLASS DECOR)
(SA) PTY LTD was hereunto affixed by)
authority of the Board of Directors)
previously given in the presence of:)





DIRECTOR

This 31 day of MAY 1994.

ACCEPTED BY THE TRADE PRACTICES COMMISSION PURSUANT TO SECTION 87B OF
THE TRADE PRACTICES ACT 1974



CHAIRMAN

This 1 day of MAY 1994.