



TRADE PRACTICES ACT 1974

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

BY

**INTERNATIONAL BOWLS SUPPLIERS PTY LTD
(ACN No. 057 321 276 of 18th Floor Commonwealth Bank Building,
240 Queen Street, Brisbane, in the State of Queensland)**

International Bowls Suppliers Pty Ltd ('IBS') is a company which supplies various lawn bowls retailers with Drakes Pride bowls which it imports from England.

Following an investigation by the Trade Practices Commission ('TPC'), IBS was informed that the TPC considered it had engaged in resale price maintenance concerning the retail price of Drakes Pride bowls in contravention of section 48 of the *Trade Practices Act 1974* ('the Act').

IBS have stated that it was not their intention to breach the Act and have cooperated with the TPC's inquiry in to this matter.

UNDERTAKING

IBS undertakes for the purposes of section 87B of the Act:

1. To cease immediately any conduct which includes inferring that Drakes Pride bowls are not to be sold or advertised at or below a certain price by retailers reselling the bowls.
2. Not to engage in any resale price maintenance conduct in the future, either orally or in writing.
3. IBS to advise all its retail outlets forthwith that they are at liberty to set their own prices in the sale of lawn bowls and any associated apparel or accessories and that any attempt to threaten supply due to discounting is at risk of breaching the resale price maintenance provisions of the Act. This advice is to be provided by letter advice from IBS, comprising, inter alia, notification to the following effect:

"The Trade Practices Commission has advised IBS that this conduct is at risk of breaching the resale price maintenance provisions of the Trade Practices Act 1974 (the Act). The resale price maintenance provisions of the Act relate to situations where supply is either threatened or stopped due to discounting by an outlet. Suppliers can however, set a realistic maximum price for particular goods but cannot stop resellers charging or advertising below that price."

4. IBS to include with its correspondence to retailers, the attached letter from the Trade Practices Commission in relation to Section 45 (45A) of the Act (Attachment A).

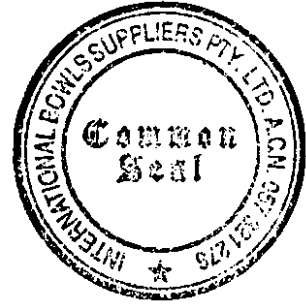
5. IBS acknowledges and accepts that this undertaking will be placed on the TPC's Public Register and may be referred to by the TPC at its discretion.

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

*****END*****

IN WITNESS OF THESE UNDERTAKINGS

**THE COMMON SEAL OF
INTERNATIONAL BOWLS SUPPLIERS PTY LTD**
was hereunto affixed by authority of
the Board of Directors previously given
in the presence of:



W S H
.....
Director

this *FOURTEENTH* day of *DEC* 1993.

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

Mankel
.....
Chairman

this *20th* day of *December* 1993.

*****END*****

TRADE PRACTICES ACT 1974

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

BY

WARWICK GRAHAM JEFFERIES
(of 167 Parfrey Road, Rochedale South,
in the State of Queensland)

Warwick Graham Jefferies is a Director of International Bowls Suppliers Pty Ltd (IBS) which supplies various lawn bowls retailers with Drakes Pride bowls which it imports from England. Warwick Graham Jefferies is also the Sales Manager of Fred Fern Bowls Centre Pty Ltd.

Following an investigation by the Trade Practices Commission ('TPC'), Warwick Graham Jefferies was informed that the TPC considered he had engaged in resale price maintenance conduct and price fixing conduct with some retailers.

The TPC stated that it considers that Warwick Graham Jefferies engaged in resale price maintenance conduct and price fixing conduct in contravention of sections 48 and 45 (45A) of the *Trade Practices Act 1974* ('the Act') respectively.

Warwick Graham Jefferies has stated that it was not his intention to breach the Act and has cooperated with the TPC's inquiry into this matter.

UNDERTAKING

Warwick Graham Jefferies undertakes for the purposes of section 87B of the Act:

1. To cease immediately any conduct which includes inferring that Drakes Pride bowls are not to be sold or advertised at or below a certain price by retailers reselling the bowls.
2. Not to engage in any resale price maintenance conduct in the future, either orally or in writing.
3. Not to engage in price fixing arrangements, nor to induce other operations to enter into price fixing arrangements either orally or in writing.
4. Mr Jefferies acknowledges and accepts that this undertaking will be placed on the TPC's Public Register and may be referred to by the TPC at its discretion.

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

*****END*****

IN WITNESS OF THESE UNDERTAKINGS

WARWICK GRAHAM JEFFERIES
in the presence of:

W. S. Jeffries

[Signature]

.....
Witness

this *14th* day of *December* 1993.

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

[Signature]

.....
Chairman

this *20th* day of *December* 1993.