

**WITHDRAWAL OF UNDERTAKING GIVEN TO
THE AUSTRALIAN COMPETITION AND CONSUMER COMMISSION
UNDER SECTION 87B OF THE TRADE PRACTICES ACT 1974
BY
THE GREATER UNION ORGANISATION PTY LTD (ACN 000 024 439)
AND
THE HOYTS CORPORATION PTY LIMITED (ACN 006 082 551)**

1. BACKGROUND

- 1.1 In 2001, The Greater Union Organisation Pty Ltd (**Greater Union**) and The Hoyts Corporation Pty Limited (**Hoyts**) entered into an arrangement for the co-location of their operations in the Regent Centre site and the Myer Centre site in the Brisbane CBD (**Co-location Agreement**).
- 1.2 On 30 August 2001, the Australian Competition and Consumer Commission (**Commission**) accepted an undertaking offered by Hoyts and Greater Union under section 87B of the *Trade Practices Act 1974* (**the Act**) regulating some aspects of Hoyts and Greater Union's operations at sites subject to the Co-location Agreement (**Undertaking**).
- 1.3 The Undertaking was varied on 20 June 2005.
- 1.4 Hoyts and Greater Union have agreed to terminate the Co-location Agreement and therefore propose to withdraw the Undertaking in accordance with section 87B(2) of the Act.

2. WITHDRAWAL OF THE UNDERTAKING

- 2.1 This instrument will, upon acceptance by the Commission, effect the withdrawal of the Undertaking.
- 2.2 This instrument comes into effect when:
- (a) Hoyts and Greater Union execute the Deed of Termination and Release of Joint Operations Agreement;
 - (b) this instrument is executed by Hoyts and Greater Union; and
 - (c) the Commission accepts the withdrawal.

EXECUTED

The Common Seal of **THE GREATER UNION ORGANISATION LIMITED** (ACN 000 024 439) is fixed in the presence of:





Director



Witness **COMPANY SECRETARY**

DAVID C. SEARGEANT

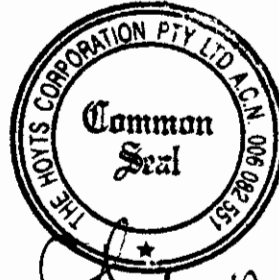
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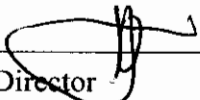
GREGORY C. DEAN

(Print name)

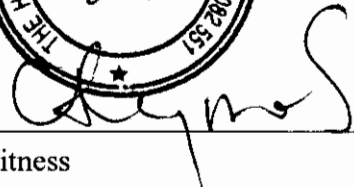
This 12TH day of **DECEMBER** 2005

The Common Seal of **THE HOYTS CORPORATION PTY LIMITED** (ACN 006 082 551) is fixed in the presence of:





Director



Witness

GUY JALLAND

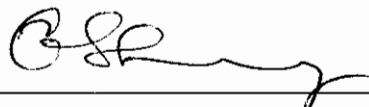
(Print name)

CHRISTA HEYMANS

(Print name)

This 12th day of **December** 2005

THIS WITHDRAWAL OF UNDERTAKING OFFERED BY THE GREATER UNION ORGANISATION PTY LIMITED AND HOYTS CORPORATION PTY LIMITED IS ACCEPTED BY THE AUSTRALIAN COMPETITION AND CONSUMER COMMISSION PURSUANT TO SECTION 87B OF THE TRADE PRACTICES ACT 1974

Chairman 

This 22nd day of **December** 2005