

NOTICE OF LODGMENT
AUSTRALIAN COMPETITION TRIBUNAL

This document was lodged electronically in the AUSTRALIAN COMPETITION TRIBUNAL on 04/04/2016 4:13 pm AEDT and has been accepted for lodgment under the Interim Practice Direction dated 21 August 2015. Filing details follow and important additional information about these are set out below.

Lodgment and Details

Document Lodged: APP – ANNEXURE F TO FORM S – UNDERTAKING NOT TO COMPLETE

File Number: ACT 2 of 2016

File Title: Application by Sea Swift Pty Ltd under s 95AU of the *Competition and Consumer Act 2010* (Cth) for an authorisation under s 95AT(1) to acquire shares in the capital of a body corporate or to acquire assets of another person

Registry: NEW SOUTH WALES – AUSTRALIAN COMPETITION TRIBUNAL

Dated: 04/04/2016 4:13 pm AEDT



A handwritten signature in blue ink, consisting of a stylized 'S' followed by a '4'.

Deputy Registrar

Important Information

As required by the Interim Practice Direction dated 21 August 2015, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Tribunal and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date and time of lodgment also shown above are the date and time that the document was received by the Tribunal. Under the Tribunal's Interim Practice Direction the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4:30 pm local time at that Registry) or otherwise the next working day for that Registry.



SECTION 87B UNDERTAKING

Competition and Consumer Act 2010

Undertaking to the Australian Competition and Consumer Commission given for the purposes of section 87B

by

Sea Swift Pty Limited (ACN 010 889 040)

- 1 This undertaking (Undertaking) is given to the Australian Competition and Consumer Commission (Commission) by Sea Swift Pty Limited ACN 010 889 040 (Sea Swift) of 41-43 Tingira Street, Portsmith, Queensland 4870 under section 87B of the Competition and Consumer Act 2010 (Act).
2 Sea Swift has made an application for authorisation in respect of an acquisition pursuant to section 95AU of the Act.
3 Sea Swift hereby undertakes that it will not make the acquisition the subject of the application referred to in paragraph 2 while the application is being considered by the Australian Competition Tribunal.
4 This undertaking comes into effect when:
(a) the Undertaking is executed by Sea Swift; and
(b) the Commission accepts the Undertaking so executed.
5 Sea Swift acknowledges that the Commission will make this Undertaking available for public inspection.

EXECUTED BY

Sea Swift Pty Limited ACN 010 889 040 pursuant to section 127 (1) of the Corporations Act 2001

Signature [Handwritten Signature]

Signature [Handwritten Signature]

Office Held MD + CEO SEA SWIFT PTY LTD

Office Held DIRECTOR

(Print) Name of Authorised Person FRED WHITE

(Print) Name of Authorised Person PAUL READDY

This 4th day of April 2016.

ACCEPTED BY THE COMMISSION PURSUANT TO SECTION 87B OF THE ACT

Commission Chairperson

