



UNDERTAKING TO THE TRADE PRACTICES COMMISSION
GIVEN PURSUANT TO SECTION 87B OF THE TRADE PRACTICES
ACT 1974 ("THE ACT")

BY

VICTORIA CO. (RETAIL) PTY LTD
(ACN 009 378 876 OF 12TH FLOOR, 16 ST GEORGES TERRACE
PERTH IN THE STATE OF WESTERN AUSTRALIA

Background

Victoria Co. (Retail) Pty Ltd ("Victoria Co.") is a company which carries on business as a retail supplier of clothing and souvenirs related to the tourist trade.

Following an investigation by the Trade Practices Commission ("TPC"), Victoria Co. was informed that the TPC considered that Victoria Co. had made an attempt to make a contract or arrangement or arrive at an understanding in relation to prices of T-Shirts and in particular T-Shirts with the "Red Back" logo.

The TPC has stated that it considers that Victoria Co. made an attempt to make a contract or arrangement or arrive at an understanding which contract, arrangement or understanding would have had the purpose or the effect or was likely to have the effect of fixing, controlling or maintaining the price of T-Shirts (in particular T-Shirts with a "Red Back" logo) supplied or to be supplied by Victoria Co. or Begon Pty Ltd trading as Nona Me.

Undertaking

Victoria Co. undertakes to the TPC for the purposes of Section 87B of the Act that Victoria Co. will not hereafter, whether by itself or its employees or agents:

- (a) Attempt to make a contract or arrangement with or arrive at an understanding with any person carrying on business as a retail supplier of clothing in and around Perth in the State of Western Australia in respect of the price of clothing contrary to Section 45 of the Act;
- (b) Aid, abet, counsel or procure any person to make a contract or arrangement with or arrive at an understanding with any person carrying on business as a retail supplier of clothing in and around Perth in the State of Western Australia in respect of the price of clothing contrary to Section 45 of the Act; and
- (c) Induce or attempt to induce, any person, whether by threats or promises or otherwise, to make a contract or arrangement with or arrive at an understanding with any person carrying on business as a retail supplier of clothing in and around Perth in the State of Western Australia in respect of the price of clothing contrary to Section 45 of the Act.

Victoria Co. acknowledges and accepts that this undertaking will be placed on the TPC's public register and agrees that the

TPC may otherwise publish and refer to this document at its discretion.

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

IN WITNESS OF THESE UNDERTAKINGS.

THE COMMON SEAL of VICTORIA CO.)
(RETAIL) PTY LTD A.C.N.)
009 378 876 is affixed in)
accordance with its articles of)
association in the presence of:)



[Handwritten Signature]
.....
DIRECTOR

[Handwritten Signature]
.....
DIRECTOR/SECRETARY

DATED this 21st day of MAY 1993

Accepted by the Trade Practices Commission pursuant to Section 87B of the Act



[Handwritten Signature]
.....
PROFESSOR ALLAN FELS
(Chairman)

DATED this 20 day of June 1993.

259CWLD/dad