

FORM 4- BOYCOTTS

To the Fiji Commerce Commission;

Application is hereby made under subsection 129A(4) of the Decree for an authorization under that subsection:

***to engage, in concert with the first named persons, in conduct to which section 31 and 32 applies, would or might apply, while such an authorization remains in force, that section does not apply in relation to the engaging in that conduct by the applicant and by any person acting in concert with the authorization.**

(PLEASE READ DIRECTIONS AND NOTICE ON BACK OF FORM)

1. (a) Name of applicant

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(See Direction 2 on the back of this form)

(b) Short description of business, activity of documents on the applicant

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(a) Address in Fiji for service of documents on the applicant

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2. (a) Description of conduct proposed to be engaged in-

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(b) Number of persons proposing to engage, in concert, in that conduct-

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(c) Where number of persons stated in item 2(b) is less than 50, their names and addresses-

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(See Direction 4 on back of this Form)

3. Name and address of third person whose supply or acquisition of goods or services, or whose trade or commerce involving the movement of goods overseas, is to be, or may be, hindered or prevented by the conduct-

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4. Name and address of person to or from whom, or the place to or from which, supply or acquisition of goods or services is to be, or may be, hindered or prevented by the conduct-

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5. Names and addresses of persons on whose behalf application is made-

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6. (a) Grounds for grant of authorization-

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(b) Facts and contentions relied upon in support of those grounds-

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(See Notice on the back of this Form)

7. Name and address of person authorized by the applicant to provide additional information in relation to this application

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Date:....., 20..... Signed by/on behalf of the applicant

.....(Signature)

.....(Full Name)

.....(Description)

DIRECTIONS

- 1. Where there is insufficient space on this form to furnish the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the applicant.**
- 2. Where the application is made by or on behalf of a corporation, the name of the corporation, the name of the corporation is to be inserted in item 1(a), not the name of the person signing the application, and the application is to be signed by a person authorized by the corporation to do so.**
- 3. In item 1(b) if applicable, describe that part of the applicant's business relating to the subject matter of the proposed conduct in respect of which the application is made.**
- 4. Furnish with the application particulars of the conduct in respect of which the authorization is sought. Those particulars shall be furnished:**
 - (a) in so far as the particulars or any of them have been reduced to writing – by lodging a true copy of the writing; and**
 - (b) in so far as the particulars or any of them have not been reduced to writing – by lodging a memorandum containing a full and correct statement of the particulars that have not been reduced to writing**

NOTICE

In relation to item 6, your attention is drawn to paragraph 129C(7) of the Decree, which provides that the Commission shall not:

- “(a) make a determination granting:**
- (i) an authorization under subsection 129A(1) in respect of a provision of a proposed contract, arrangement or understanding that is or may be an exclusionary provision; or**
 - (ii) an authorization under subsection 129A(4) in respect of proposed conduct; or**
 - (iii) an authorization under subsection 129A(6) in respect of proposed conduct to which subsection 47 applies:**
- unless it is satisfied in all the circumstances that the proposed provision or the proposed conduct would result, or be likely to result, in such a benefit to the public that the proposed contract or arrangement should be allowed to be made, the proposed understanding should be allowed to be arrived at, or the proposed conduct should be allowed to take place, as the case may be.”**
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