

FORM NO. 7 -RESALE PRICE MAINTENANCE:

To the Fiji Commerce Commission:

Application is made under subsection 129(A)6 of the Decree for an authorization under that subsection to engage in conduct that constitutes (or may constitute) the practice of resale price maintenance.

(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 carried on by applicant-

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(c) Address in Fiji Islands for service of documents on the applicant-

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2. (a) Description of the goods or services in relation to the supply or Acquisition in which this application relates-

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(See Direction 4 on the back of this Form)

(b) Description of the business carried on by the applicant-

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(c) Address in the Fiji Islands for service of documents on the applicants-

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3. (a) Grounds for grant of authorisation

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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 the Form)

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

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.....

Date20..... 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 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), describe that part of the applicant's business in the course of which the conduct is engaged in.
4. Where particulars of a condition or of a reason of the type referred to in subsection 47(2) to (9) (inclusive) of the Fair Trading Amendment Act 1998 have been included in whole or in part to writing, a copy of the writing is to be furnished with the application

NOTICE

In relation to item 3, your attention is drawn to subsection 129C(7) of the Decree which provides as follows:

The Commission must 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;
 - (ii) an authorization under subsection 129A(4) in respect of proposed conduct, or
 - (iii) an authorization under subsection 129A(6) for proposed conduct to which section 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."
- (b) make a determination granting an authorization under subsection 129A(1) in respect of a provision of a contract, arrangement or understanding that is or may be an exclusionary provision unless it is

satisfied in all the circumstances that the contract, arrangement or understanding should be allowed to be given effect to.”