

DEED OF UNDERTAKING AS TO THE RETURN OF DOCUMENTS

1. This Deed of Undertaking (Deed) is made in relation to an Order (Order) issued by the Commerce Commission (Commission) pursuant to section 100 of the Commerce Act 1986 (Commerce Act) on 25 May 2004, a copy of which is annexed marked Schedule 1. This Deed adopts the terms defined in the Order.
2. I, _____

of, _____
hereby irrevocably undertake to the Commission and to every person supplying the Restricted Information to the Commission as follows:
 - (a) not to use or refer to the Restricted Information in any way except in relation to the Proceeding; and
 - (b) not to disclose the Restricted Information or any part thereof to, or discuss it with, any person other than a person who has been provided with the Restricted Information and has given an undertaking to the Commission in the same terms as this undertaking (a list of whom is attached in Schedule 2 to this Deed); and
 - (c) not to make notes, summaries, copies, or records in any other form, of the Restricted Information except as is necessary for me to prepare for and present submissions to the Commission or to a court in any subsequent judicial proceeding in respect of the Inquiry.
3. I understand that the list of people set out in Schedule 2 of this Deed may be varied from time to time and that the Commission will endeavour to update me of changes to this list where practicable.
4. On, or before, the expiry of the later of:
 - (a) the Order;
 - (b) conclusion of the Inquiry; or
 - (c) any judicial proceedings resulting from the Inquiry to which the Order relates,I undertake to:
 - (d) return; or
 - (e) destroy,

