

## COMMERCE ACT 1986: BUSINESS ACQUISITION

### SECTION 66: NOTICE SEEKING AUTHORISATION

Date: 19 September 2003

The Registrar  
Business Acquisitions and Authorisations  
Commerce Commission  
P O Box 2351  
**Wellington**

Pursuant to section 66(1) of the Commerce Act 1986 notice is hereby given seeking **clearance** of a proposed business acquisition.

#### Part I: Transaction details

1. What is the business acquisition for which clearance is sought?
  - 1.1 The business acquisition for which clearance is sought is an acquisition of a 9.86195 percent interest in:
    - (a) Petroleum Exploration Permit 38459 (Pohokura); and
    - (b) the joint venture between Shell Exploration NZ Limited, Shell (Petroleum Mining) Company Limited, Todd Petroleum Mining Company Limited and OMV New Zealand Limited.
  - 1.2 Attach a copy of any contract or agreement relating to the proposed acquisition. This has previously been supplied.

2. Who is the person giving the notice?

**Todd Pohokura Limited**  
P O Box 3141 Wellington  
Telephone 471 6555  
Facsimile 472 2474  
Attention Christopher Hall  
General Counsel

3. Confidentiality

We seek confidentiality as set out in our letter dated 12 June 2003.

4. Details of the participants:

- Todd Pohokura Limited as purchaser
- Todd Petroleum Mining Company Limited as buyer guarantor
- OMV New Zealand Limited as vendor

**Parts II, III, IV, V**  
**Identification of markets affected**  
**Constraints on market power by existing competition**  
**Constraints on market power by potential competition**  
**Other potential constraints**

5. The applicant refers to information previously provided, including as presented at a meeting on 4 April 2003 and with letters dated 9 and 25 April 2003.

**Other matters**

6. The applicant refers to and relies on the Commission's investigation report dated 12 May 2003.
7. This application is made on the basis set out in our covering letter dated 19 September 2003.

This notice is given by Todd Pohokura Limited.

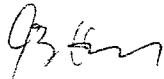
Todd Pohokura Limited confirms that:

- all information specified by the Commission has been supplied;
- all information known to the applicant which is relevant to the consideration of this application has previously been supplied;
- all information supplied is correct as at the date of this notice.

Todd Pohokura Limited undertakes to advise the Commission immediately of any material change in circumstances relating to the notice.

Dated this 19<sup>th</sup> day of September 2003.

Signed by Todd Pohokura Limited

  
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C B/Hall  
General Counsel