

NOTICE OF APPLICATION FOR EXEMPTION

- Applicants:
1. Esso Petroleum Company Limited (“**Esso**”)
 2. Bel Royal Motor Works Limited (“**Bel Royal**”)
- Agreement: Esso and Bel Royal have agreed to exclusively sell and purchase respectively motor fuel, to be retailed at the site of Bel Royal Motors, Bel Royal Corner, St Lawrence, JE3 1LP.
- Industries Involved: The provision of motor fuel in Jersey for retail purposes.

The JCRA has received an application for an exemption under Article 9 of the Competition (Jersey) Law 2005 (the “**Law**”) concerning a Motor Fuels Supply Agreement (the “**Agreement**”) between Esso and Bel Royal. Under the Agreement, Bel Royal agrees to purchase motor fuels exclusively from Esso for retail sale at Bel Royal Motors in Jersey. The term of the Agreement is less than five years.

As the Agreement requires Bel Royal to purchase its total requirements of motor fuels from Esso during the term, it can be seen as restricting competition by eliminating the ability of Bel Royal to potentially purchase motor fuels from other actual or potential suppliers, which may infringe Article 8(1) of the Law. However, Esso states that the Agreement satisfies the exemption criteria.

The JCRA invites any comments regarding the application for exemption. The deadline for comments is 19 January 2010. Please make your comments by letter marked for the attention of Kerstee Norris at the address below, or by e-mail to k.norris@jcra.je. A non-confidential version of the application will be made available on request.