



Our ref: AA1000528  
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Dear Sir/Madam

## **National Honda Deal Council Limited application for authorisation AA1000528–interested party consultation**

On 21 August 2020, the Australian Competition and Consumer Commission (the **ACCC**) received an application for authorisation from National Honda Dealer Council Limited (**NHDC**). This letter is to invite you to comment. You are welcome to pass this letter on to others who may wish to make submissions.

NHDC is seeking authorisation<sup>1</sup> under the *Competition and Consumer Act 2010* (Cth). Authorisation would give it legal protection to engage in collective bargaining with Honda Australia Pty Ltd (**Honda**) on behalf of Honda Dealers identified in the application.

Honda has announced that it intends to replace its individual agreements with dealers with a new agency model (the **New Model**), whereby dealers would engage with customers as agents of Honda. The NHDC is seeking to collectively bargain on behalf of dealers in respect of the terms of the New Model.

NHDC is seeking authorisation for a term of 11 years from the ACCC's final authorisation. A full copy of the application for authorisation is available on the ACCC's [authorisations public register](#).

### **Interim authorisation**

NHDC has also requested interim authorisation to allow it to engage in collective bargaining with Honda regarding the terms of the New Model prior to the ACCC's final determination in relation to the substantive application for authorisation.

### **Making a submission**

The ACCC invites you to make a submission on the application for authorisation. In making your submission, please provide information, evidence and views about the likely public benefits, effects on competition and any other public detriment that you consider will result from the proposed conduct.

If you intend to provide a submission, please do so by **15 September 2020**. If you wish to request an extension, please contact us on the details below as early as possible. Submissions after the due date (or after any extension granted) may not be taken into account. Submissions in relation to interim authorisation should be provided by

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<sup>1</sup> For information about Authorisations, please see <https://www.accc.gov.au/business/exemptions/authorisation>

**3 September 2020.** Extensions are not normally granted for submissions on interim authorisation.

Please email your submission to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au), with the subject 'AA1000528 – National Honda Deal Council Limited – submission'. Alternatively, if you would like to provide comments orally, please contact Hannah Ransom via the details at the end of this letter.

Your submission **will** be placed on the ACCC's [authorisations public register on the internet](#) unless you have made a request (with reasons) for us to exclude part or all of the submission from the public register. (see [Guidelines for Excluding Information from the Public Register for more information on how to make a request and how we assess requests](#)).

## Timetable

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information, and an up to date version (including any changes) will be posted on the public register.

Indicative date	Stage in assessment process
<b>21 August 2020</b>	Lodgement of application and supporting submission.
<b>25 August 2020</b>	Public consultation process begins.
<b>3 September 2020</b>	Closing date for submissions on interim authorisation.
<b>September 2020</b>	ACCC decision regarding interim authorisation.
<b>15 September 2020</b>	Closing date for submissions from interested parties.
<b>September/October 2020</b>	Applicant responds to issues raised in the public consultation process.
<b>October/November 2020</b>	Draft determination.
<b>October/November 2020</b>	Public consultation on draft determination including any conference if called.
<b>November/December 2020</b>	Final determination.

This letter has been placed on the ACCC's public register. If you have any questions or wish to discuss any aspect of this matter, please do not hesitate to contact Hannah Ransom on 02 6243 1255 or [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au).

Yours sincerely



Susie Black  
Director  
Adjudication

## **Interested Party List**

Australian Automobile Association  
Australian Automobile Repairers Association  
Australian Automotive Aftermarket Association (including Automotive Repairers Council of Australia)  
Australian Automotive Dealers Associations  
Australian Finance Industry Association  
Australian Motorist Association  
Australian Prudential Regulation Authority  
Australian Security and Investments Commission  
Consumer Action Law Centre  
Consumer Credit Legal Service (WA)  
Consumers' Federation of Australia  
Financial Rights Legal Centre  
Honda Australia  
Insurance Council Australia  
Motor Trades Association of Australia Victorian Automotive Chamber of Commerce