

# MinterEllison

L A W Y E E R S

525 COLLINS STREET GPO BOX 769G MELBOURNE VIC 3001 AUSTRALIA

**To** Amanda Dadd  
Australian Competition & Consumer  
Commission

**Facsimile** (02) 6243 1211

**From** Peter George  
E.mail peter.george@minterellison.com

**Facsimile** +61 3 8608 1061  
**Direct line** +61 3 8608 2634  
**Our Ref** SAXB PAG 30-3888792

**Date** 16 January 2004

**Number of pages (including this one):** 4

**Subject** **Third Line Forcing notification lodged by Subaru (Aust) Pty Ltd (Subaru Australia) (N40609, N40610, N40611, N40612)**

---

Please see attached.



---

**If you do not receive all pages please telephone +61 3 8608 2168**

**IMPORTANT** - The contents of this facsimile may be privileged and confidential. Any unauthorised use of the contents is expressly prohibited. If you have received the document in error, please advise us by telephone (reverse charges) immediately and then shred the document. Thank you.

MFI 4\_860763\_1 (W97)

# MinterEllison

---

L A W Y E R S

16 January 2004

RIALTO TOWERS 525 COLLINS STREET MELBOURNE  
GPO BOX 769G MELBOURNE VIC 3001 AUSTRALIA  
DX 204 MELBOURNE www.minterellison.com  
TELEPHONE +61 3 8608 2000 FACSIMILE +61 3 8608 1000

## BY FACSIMILE

**Attention: Ms Amanda Dadd**  
Mr Tim Grimwade  
General Manager  
Adjudication Branch  
Australian Competition and Consumer Commission  
PO Box 1199  
DICKSON ACT 2602

Dear Mr Grimwade

### **Third Line Forcing notification lodged by Subaru (Aust) Pty Ltd (Subaru Australia) (N40609, N40610, N40611, N40612)**

We refer to your facsimile dated 15 October 2003, and our correspondence dated 21 October 2003 attaching Form G third line forcing notifications on behalf of Subaru Australia, General Motors Acceptance Corporation, Australia (GMAC), Interleasing (Australia) Limited and Swann Insurance (Australia) Pty Ltd.

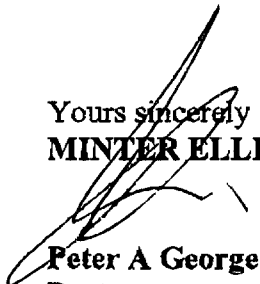
In accordance with the Commission's request that it be kept informed of promotional activities covered by the notification as they arise, our client wishes to inform the Commission of its 2004 Liberty promotion. Under this promotion, Subaru Finance (GMAC) will offer consumers discounted weekly repayments on commercial hire purchases of 2004 Liberty 2.0i model. This offer is available through *all participating Sydney Metro Subaru dealers (and participating NSW Rural dealers)*, and is not restricted to those dealers who have acquired inventory finance from GMAC (**Wholesale Dealers**). Subaru Australia and GMAC will, however, each offer a subvention payment of up to \$75 to Wholesale Dealers in respect of each vehicle financed under this promotion.

We have attached an example of the Sydney newspaper advertisement by which this offer is publicised.

The lodging parties are aware that this promotion may technically fall within the scope of the notification, to the extent that it may comprise the offer of an allowance or rebate to dealers on the condition that they acquire their inventory finance from GMAC.

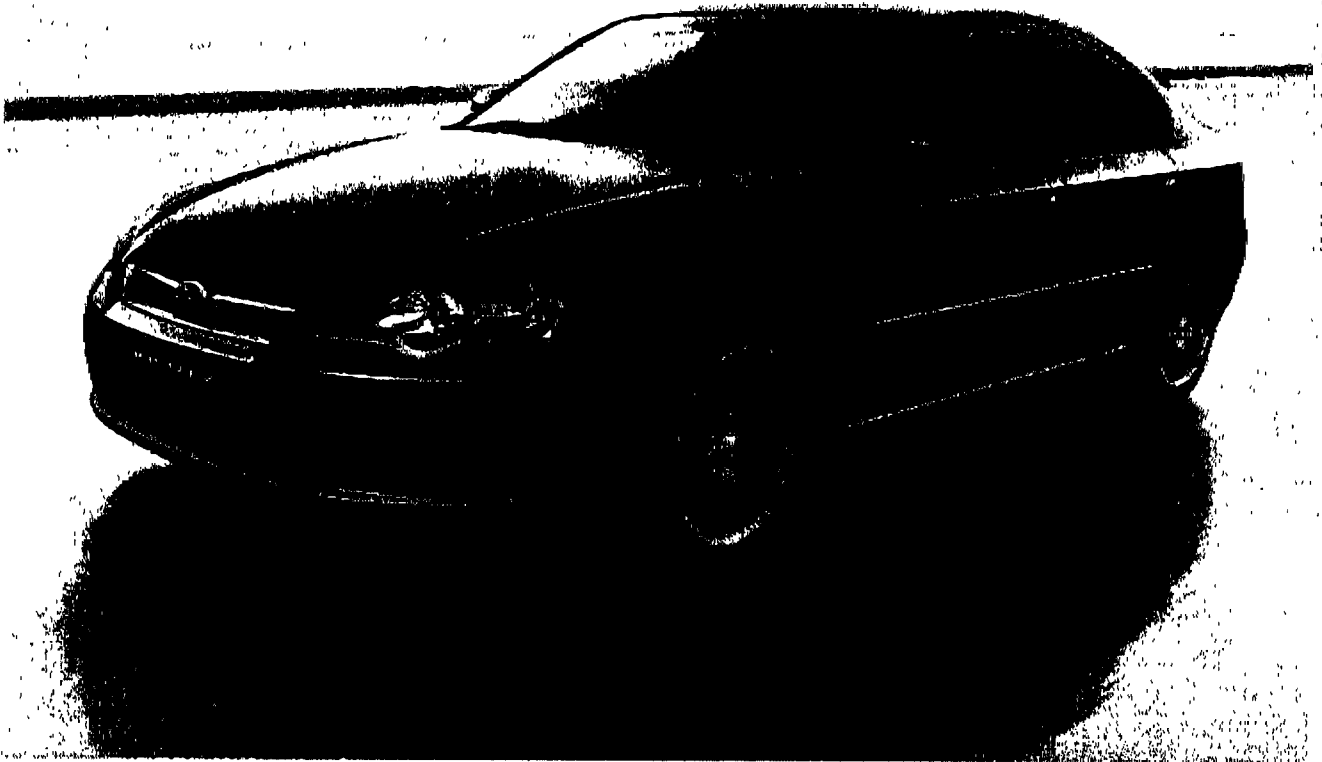
Please do not hesitate to contact me or Sarah Barker of this office should you have any queries.

Yours sincerely  
**MINTER ELLISON**



**Peter A George**  
**Partner**

Contact: Sarah Barker +61 3 8608 2168 Direct Fax +61 3 8608 1086  
E.mail: sarah.barker@minterellison.com  
Partner responsible: Peter George +61 3 8608 2672  
Our reference: SAXB PAG 30-3888792



## JAPAN'S CAR OF THE YEAR TUNED TO AUSTRALIAN CONDITIONS AND AVAILABLE FROM \$99.77 PER WEEK\*

The 2004 Liberty is the result of Subaru's efforts to produce a car with truly global appeal. Of all the vehicles released in Japan last year, Subaru's new generation "Legacy" won the prestigious "Car of the Year - Japan" Award. "Legacy" has been tuned to Australian conditions and released in "Liberty" and is now available with a 2.0-litre engine from just \$99.77 per week.

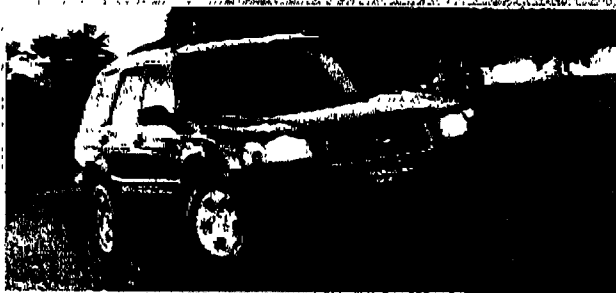
Combining established technological breakthroughs like a rally-bred Subaru Boxer engine and the now legendary Symmetrical All-Wheel Drive system, Liberty 2.0i is practical, supremely comfortable and committed to performance.

Judge for yourself at your Subaru dealer while this extraordinary finance offer is available.

### LIBERTY 2.0i AT A GLANCE

<ul style="list-style-type: none"> <li>Boxer</li> <li>Type 2.0-litre 5000</li> <li>Power 101kW@5200rpm</li> <li>Torque 187Nm@4000rpm</li> <li>Differential Symmetrical</li> <li>Symmetrical All-Wheel Drive</li> <li>Safety Dual Front Airbags</li> <li>Transmission 5 Speed Manual or 4 Speed SportShift</li> </ul>	<ul style="list-style-type: none"> <li>ABS/EBD/Brake Disc Brakes</li> <li>Driving Climate Control</li> <li>Electronic Throttle Control</li> <li>Multi-Function Tilt Computer Features</li> <li>AWD/Power CD Player</li> <li>Air Conditioning</li> <li>Day/Net Security</li> </ul>	<ul style="list-style-type: none"> <li>Power Steering/Windows/Mirror</li> <li>Remote Central Locking</li> <li>16" Alloy Wheels (R)</li> <li>3 Year Unlimited Kilometre Warranty</li> </ul>
--	---	--

2004  
LIBERTY 2.0i  
Sedan FROM \$30,990\*



### Australia's Best Recreational AWD. Now with Free Registration, Stamp Duty & CTP Insurance.

Purchase a new Forester X and you'll receive free registration, free stamp duty and free CTP insurance. And at the end of your 3 year warranty, we'll extend it by 2 years with Unlimited Kilometres.

Forester X  
FROM \$31,490\*\*



\* Offer from Subaru Finance, based on a 3-year 2004 Liberty 2.0i, manual with 16" alloy wheels, with a recommended retail price of \$30,990 including GST. Excludes dealer delivery & finance charges. Monthly payment of \$99.77, based on commercial rate purchase term of 60 months with a 10% deposit & 30% first payment. Interest rate of 12.99% per annum. Finance is approved subject to financial purposes only. Terms & conditions apply. Rate and charges are payable. Offer valid 31st January 2004. \*\* New Forester X is a recreational vehicle, only based on a manual 4-cylinder 2.0-litre petrol. As a recreational vehicle, it is not eligible for motor vehicle insurance. Other delivery and country charges are additional. \*\* These rates are for a 3-year term only and are not applicable to government's buyers. \*\* Not include GST and a recommended retail price only for a manual vehicle. Some models have a price. AWD and 16" alloy wheels price shown on Forester X is an estimate and is not final. Dealer delivery charges are additional. \*\* Price shown is an estimate.