

Our Ref: C2006/1283  
Contact Officer: Cameron Martin  
Contact Phone: 02 6243 1107

13 July 2006

Dear

**Revocation of Authorisation A16204 lodged by the Service Stations Association Ltd**

The Australian Competition and Consumer Commission (ACCC) has received a request from the Service Stations Association Ltd for the revocation of authorisation A16204. The authorisation was granted to the SSA by the Trade Practices Commission (TPC) on 23 November 1978. The TPC is now the ACCC.

As part of the statutory revocation process the ACCC is required to consult with parties who may have an interest in the authorised conduct. I am writing to you as we consider that you may be a party with an interest in the authorisation for which revocation has been sought.

*The SSA Authorisation*

On 16 January 1976, the SSA applied for authorisation in relation to its *flat rate manual for mechanical repairs* (flat rate manual). At the time that authorisation was sought, the flat rate manual showed suggested times for specific operations of mechanical work on all popular makes and models of cars and trucks from 1967 to 1978. The purpose of the flat rate manual was to assist the SSA's members in calculating the time taken for various mechanical repairs.

On 6 November 1978, the TPC granted authorisation these arrangements in perpetuity.

On 3 July 2006, the SSA advised the ACCC that it wished to revoke authorisation A16204. In seeking revocation, the SSA has advised that it no longer requires or desires the authorisation.

*The Authorisation Process*

A key objective of the *Trade Practices Act 1974* (the Act) is to prevent anti-competitive conduct, thereby encouraging competition, efficiency, and a greater choice for consumers. However, the Act allows the ACCC to grant immunity for anti-competitive conduct in certain circumstances. Broadly, the ACCC may 'authorise' businesses to

engage in anti-competitive arrangements or conduct where it is satisfied that the public benefit from the arrangements or conduct outweighs any public detriment.

Section 91B of the Act provides that a person to whom authorisation was granted may apply to the ACCC for revocation of the authorisation. On receipt of such an application, the ACCC is required to write to interested parties advising them of the application for revocation and its basis, and inviting submissions from interested parties. After considering any submissions received in relation to the application for revocation, the ACCC is required to issue a written determination either revoking or allowing the immunity conferred by the authorisation to continue.

*Interested party submissions*

The purpose of this letter is to invite your submission as a potentially interested party. To assist you I have enclosed a copy of the authorisation for which revocation is sought. Please note that the flat rate manual is discussed from page 15 to 17 of this document.

If you wish to lodge a submission, the ACCC asks that it be in writing so that it can be made publicly available. Submissions are placed on a public register and on the ACCC's website.

Should you lodge a submission with the ACCC you may request that information included in the submission be excluded from the public register and website. The ACCC may take such information into account during its assessment of an authorisation application. Guidelines for seeking exclusion from the public register are attached for your information.

If you wish to provide a submission in respect of the SSA's request for revocation, please do so by **cob Friday, 28 July 2006**. Please address your submission to:

The General Manager  
Adjudication Branch  
Australian Competition & Consumer Commission  
PO Box 1199  
DICKSON ACT 2602

Submissions can also be lodged by e-mail to [adjudication@accc.gov.au](mailto:adjudication@accc.gov.au) or by fax on (02) 6243 1211.

A copy of this letter will be placed on the ACCC's public register.

If you have any questions please contact Cameron Martin on 02 6243 1107.

Yours sincerely

Susan Philp  
Director  
Adjudication Branch

	Name	Business
1	Mr Michael Delaney	Executive Director Motor Trades Association of Australia
2	Mr David	Executive Director Victorian Automobile Chamber of Commerce
3	Mr Lauchlan McIntosh	Executive Director Australian Automobile Association
4	Mr Tony Selmes	Executive Director Motor Trades Association of Queensland
5	Mr Peter Fitzpatrick	Chief Executive Officer Motor Trades Association of Western Australia
6	Mr John Chapman	Executive Director Motor Trades Association of South Australia
7	Mr Tony Howard	Executive Director Motor Trades Association of the Australian Capital Territory
8	Mr Ian Rolf	Motor Trades Association of New South Wales
9	Mr George Elmassian	Australian Automotive Repair Association
10		The General Manager Ultra Tune Australia Pty Ltd
11		The General Manager RepcO Authorised Service
12		The General Manager Ford Motor Company of Australia
13		The General Manager Toyota Motor Corporation Australia Limited