



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: N92683  
Contact Officer: Margaret Abou-Rizk  
Contact Number: (03) 9290 1484

PO Box 1199  
Dickson ACT 2602  
470 Northbourne Ave  
Dickson ACT 2602  
ph (02) 6243 1111  
fax (02) 6243 1199  
[www.accc.gov.au](http://www.accc.gov.au)

9 November 2006

David King  
Director  
EKM Legal  
Level 1, 38-40 Garden Street  
SOUTH YARRA VIC 3141

Dear Mr King

**Nissan Motor Co. (Australia) Pty Ltd  
Exclusive Dealing Notification-N92683**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 30 October 2006. The notification has been placed on the ACCC's public register.

You have described the notified conduct as involving:

Nissan Motor Co. (Australia) Pty Ltd (Nissan) proposes to offer a discount/rebate in relation to the supply of new Nissan Murano vehicles on condition that consumers acquire retail finance services from GE Automotive Financial Services (GE Automotive) for the purchase of the vehicle.

I understand that the arrangement involves Nissan entering into an arrangement with GE Automotive in relation to the sale of the new Nissan Murano ST, Ti and Ti-L motor vehicles. GE Automotive will provide finance with an interest rate of 0% for up to 2 years to consumers who purchase these motor vehicles from a GE Automotive accredited Nissan dealer and who pay 50% of the motor vehicle and other costs up front. Nissan will subsidise the consumer's acquisition of finance on condition that the consumer acquires finance from GE Automotive.

Legal immunity conferred by the notification commences on 13 November 2006.

On the basis of the information that you have provided, it is not intended that further action be taken in this matter at this stage.

As with any notification, please note that the ACCC may act to remove the immunity afforded by the notification at a later stage if it is satisfied that the likely benefit to the



public from the conduct will not outweigh the likely detriment to the public from the conduct.

A copy of this letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Ms Margaret Abou-Rizk on 03 9290 1484 or at [margaret.abou-rizk@acc.gov.au](mailto:margaret.abou-rizk@acc.gov.au) or Ms Jaime Norton on (03) 9290 1477 or at [jaimenorton@acc.gov.au](mailto:jaimenorton@acc.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Gregson', written over a large, faint, oval-shaped watermark or background mark.

Scott Gregson  
General Manager  
Adjudication Branch