

Chubb, Sarah

From: Chubb, Sarah
Sent: Wednesday, 4 April 2007 10:11 AM
To: 'lwoodward@gtlaw.com.au'
Cc: Channing, Darrell
Subject: CNH Australia Pty Ltd and CNH Capital Australia Pty Ltd - notifications N92848 and N92849 [SEC=UNCLASSIFIED]

Categories: SEC=UNCLASSIFIED
ACCC Classification: SEC=UNCLASSIFIED

Dear Mr Woodward,

I refer to notifications N92848 and N92849 lodged by CNH Australia Pty Ltd (CNH Australia) and CNH Capital Australia Pty Ltd (CNH Capital) with the Australian Competition and Consumer Commission (ACCC) on 12 March 2007.

The ACCC is currently assessing the above notifications. In order to conduct the assessment process, the ACCC requires some additional information from you in relation to the notified conduct. In particular, could you please provide a response to the following questions:

1. To what extent are purchasers of Case IH and New Holland tractors able to purchase genuine spare parts from dealers other than Case IH and New Holland dealers?
2. To what extent are purchasers of Case IH and New Holland tractors able to purchase specialist oils and lubricants (ie. Akcela No. 1, Akcela Hy-Tran Ultra, AmbrA Mastergold and AmbrA Mastertran) from dealers other than Case IH and New Holland dealers?
3. Are purchasers of Case IH and New Holland tractors who obtain a Standard Warranty and/or an Extended Warranty from CNH Australia, or a fully maintained lease from CNH Capital, able to have their tractors serviced by a dealer other than a Case IH or New Holland dealer without breaching their warranty or lease agreements?
4. How long does the Standard Warranty offered by CNH Australia operate for?

I would appreciate receiving a response to these questions by **10 April 2007**.

A copy of this email has been placed on the public register. If you wish to discuss any aspect of this matter, please contact me on (02) 6243 1088.

Regards

Sarah Chubb
Project Officer
Adjudication Branch
Australian Competition and Consumer Commission