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GIO General Limited  
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AFSL 229873

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27 June 2008

Mr Scott Gregson  
General Manager  
Adjudication Branch  
Australian Competition and Consumer Commission  
PO Box 1199  
DICKSON ACT 2602

Dear Mr Gregson

**GIO General Limited – Form G – Notification of Exclusive Dealing – Foster Parents Support Network (Inc) NSW**

GIO General Limited (**GIO**) is a member of the Suncorp Group of companies.

GIO proposes to engage in conduct that may constitute exclusive dealing within the meaning of the *Trade Practices Act 1974 (Cth)*. They therefore wish to notify the ACCC of this proposed conduct under section 93 of the Act.

I **attach**:

- a completed Form G Notification; and
- a cheque for \$100 from GIO, being the prescribed fee for the notification.

No claim for confidentiality is made in relation to the attached notification.

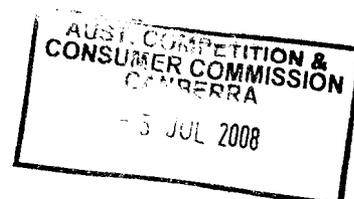
We are prepared to discuss the proposed conduct with the ACCC. Please contact us if the ACCC has any queries.

Yours sincerely

*per Alloliman*

Eloise Lyons  
Principal Legal Counsel - General Insurance  
Group Legal

**Encs.**



**Form G**

Commonwealth of Australia  
*Trade Practices Act 1974 — subsection 93 (1)*  
**NOTIFICATION OF EXCLUSIVE DEALING**

To the Australian Competition and Consumer Commission:

Notice is hereby given, in accordance with subsection 93 (1) of the *Trade Practices Act 1974*, of particulars of conduct or of proposed conduct of a kind referred to subsections 47 (2), (3), (4), (5), (6), (7), (8) or (9) of that Act in which the person giving notice engages or proposes to engage.

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

**1. Applicant**

- (a) Name of person giving notice:  
*(Refer to direction 2)*

N 93465

GIO General Limited ABN 22 002 861 583 ("**GIO**")

- (b) Short description of business carried on by that person:  
*(Refer to direction 3)*

The provision of general insurance products.

- (c) Address in Australia for service of documents on that person:

Eloise Lyons  
Principal Legal Counsel – Insurance  
Level 16 Suncorp Centre  
36 Wickham Terrace  
BRISBANE QLD 4000  
Facsimile: (07) 3031 2343  
Phone: (07) 3836 1927

**2. Notified arrangement**

- (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates:

GIO supplies general insurance products including motor vehicle insurance.

- (b) Description of the conduct or proposed conduct:

GIO proposes to extend a 15% discount on GIO Motor Vehicle Insurance to any financial member of the Foster Parents Support Network (Inc) NSW ("**FPSN**").

*(Refer to direction 4)*

**3. Persons, or classes of persons, affected or likely to be affected by the notified conduct**

- (a) Class or classes of persons to which the conduct relates:  
*(Refer to direction 5)*

Members of FPSN.

- (b) Number of those persons:
  - (i) At present time:  
More than 50.
  - (ii) Estimated within the next year:  
*(Refer to direction 6)*  
As above.
- (c) Where number of persons stated in item 3 (b) (i) is less than 50, their names and addresses:  
Not applicable.

#### **4. Public benefit claims**

- (a) Arguments in support of notification:  
*(Refer to direction 7)*  

Whilst the proposed conduct may constitute exclusive dealing in so far as the benefits and discounts are only to be made available to members of FPSN, this will constitute a benefit to such members. GIO is not restricted from offering similar benefits and discounts to their customers and from time to time GIO will offer similar benefits to their customers.
- (b) Facts and evidence relied upon in support of these claims:  

There is no substantial lessening of competition in any of the proposed conduct.

If there is any substantial lessening of competition in any of the proposals the public benefit outweighs that substantial lessening of competition.

#### **5. Market definition**

Provide a description of the market(s) in which the goods or services described at 2 (a) are supplied or acquired and other affected markets including: significant suppliers and acquirers; substitutes available for the relevant goods or services; any restriction on the supply or acquisition of the relevant goods or services (for example geographic or legal restrictions):  
*(Refer to direction 8)*

Many competitors of GIO offer benefits and discounts and therefore the lessening of competition is minimal or non-existent. We do not believe that the notified conduct can have any adverse effect on competition in any of the relevant markets. We consider that the relevant market for assessing this notification is the Australian Market for providing general insurance products.

We believe this market is highly competitive and that GIO has no market power. Accordingly, the conduct will not create barriers to entry or otherwise harm competition in the relevant market.

The number of consumers potentially affected by the proposed conduct is insignificant compared to the total number of consumers who purchase general insurance products.

**6. Public detriments**

- (a) Detriments to the public resulting or likely to result from the notification, in particular the likely effect of the notified conduct on the prices of the goods or services described at 2 (a) above and the prices of goods or services in other affected markets:  
*(Refer to direction 9)*

We believe the notified conduct will have little if any public detriment. GIO is not restricting consumer choice. The only possible public detriment is that the discount described above will only be available to members of FPSN, although as previously stated GIO are free to offer special benefits and discounts to customers and potential customers from time to time. We are of the opinion that any detriment is outweighed by the public benefits outlined.

- (b) Facts and evidence relevant to these detriments:  
See the comments made under (a) above.

**7. Further information**

- (a) Name, postal address and contact telephone details of the person authorised to provide additional information in relation to this notification:

See 1(c) above.

Dated 27 June 2008.

Signed by/on behalf of the applicant

*Al Coleman*  
.....  
(Signature)

ALISON COLEMAN  
(Full Name)

GIO General Limited  
(Organisation)

Legal Counsel - Insurance  
(Position in Organisation)

## **DIRECTIONS**

1. In lodging this form, applicants must include all information, including supporting evidence that they wish the Commission to take into account in assessing their notification.

Where there is insufficient space on this form to furnish the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the applicant.

2. If the notice is given by or on behalf of a corporation, the name of the corporation is to be inserted in item 1 (a), not the name of the person signing the notice, and the notice is to be signed by a person authorised by the corporation to do so.
3. Describe that part of the business of the person giving the notice in the course of the which the conduct is engaged in.
4. If particulars of a condition or of a reason of the type referred to in section 47 of the *Trade Practices Act 1974* have been reduced in whole or in part to writing, a copy of the writing is to be provided with the notice.
5. Describe the business or consumers likely to be affected by the conduct.
6. State an estimate of the highest number of persons with whom the entity giving the notice is likely to deal in the course of engaging in the conduct at any time during the next year.
7. Provide details of those public benefits claimed to result or to be likely to result from the proposed conduct including quantification of those benefits where possible.
8. Provide details of the market(s) likely to be affected by the notified conduct, in particular having regard to goods or services that may be substitutes for the good or service that is the subject matter of the notification.
9. Provide details of the detriments to the public which may result from the proposed conduct including quantification of those detriments where possible.