



**Australian  
Competition &  
Consumer  
Commission**

GPO Box 3131  
Canberra ACT 2601

23 Marcus Clarke Street  
Canberra ACT 2601

tel: (02) 6243 1111  
fax: (02) 6243 1199

[www.accc.gov.au](http://www.accc.gov.au)

Our Ref: C2009/1301  
Contact Officer: Lauren Roy  
Contact Number: (03) 9290 1823

18 November 2009

Eddie Scuderi  
Partner  
Corrs Chambers Westgarth  
Level 35  
Waterfront Place  
1 Eagle Street  
BRISBANE QLD 4000

Dear Mr Scuderi

**Third line forcing notification N94030 lodged by Vero Insurance Ltd**

I refer to the above third line forcing notification lodged by Vero Insurance Ltd (Vero) with the Australian Competition and Consumer Commission (the ACCC) on 2 July 2009. I also refer to your letter of 21 October 2010, responding to the ACCC's request for further information about the notified conduct. The notification has been placed on the ACCC's public register.

The notification describes the conduct (the notified conduct) in the following way:

Vero proposes to, from time to time:

- supply, and offer to supply, insurance-related goods and services (or certain insurance-related goods and services) (Insurance Products) at a particular price; and
- give or allow, and offer to give or allow a discount, allowance, rebate, or credit in relation to the supply of Insurance Products,

on the condition that the person who acquires the Insurance Products will acquire services from Bank of Western Australia Ltd (BankWest).

Vero may, from time to time, refuse to:

- supply Insurance Products at a particular price; and
- give or allow a discount, allowance, rebate or credit in relation to the supply of Insurance Products,

for the reason that the person wishing to acquire the Insurance Products has not acquired or has not agreed to acquire services from BankWest.

Legal immunity conferred by the notification commenced on 16 July 2009.

On the basis of the information that you have provided, it is not intended that further action be taken on this matter at this stage. This assessment has been made on the basis that Vero Insurance Ltd will disclose all relevant terms and conditions to prospective customers.

I note that the notified conduct is broadly described and does not identify which insurance products will be included in any bundle or the details of any incentive that may be offered to BankWest customers that will result in the public benefit. Please note that the ACCC can review the public benefits and public detriments arising from any conduct engaged in under the notification (e.g. any specific promotion Vero Insurance Ltd may engage in going forward). The ACCC may act to remove the immunity afforded by the notification 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.

If your client intends to engage in any conduct which, whilst falling within the conduct as described in the notification, will or is likely to alter the balance of the public benefits and public detriments as stated in the notification, your client may wish to lodge a separate notification.

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 Lauren Roy on (03) 9290 1823.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R Chadwick', with a long horizontal line extending to the right.

Dr Richard Chadwick  
General Manager  
Adjudication Branch