



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2009/982
Contact Officer: Jasmine Tan
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29 May 2009

Mr Peter George
Minter Ellison Lawyers
Partner
Level 23 Collins Street
MELBOURNE VIC 3000

Dear Mr George

Third line forcing notification N93988 lodged by Subaru (Aust) Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 15 May 2009. The notification has been placed on the ACCC's public register.

Subaru (Aust) Pty Ltd (Subaru Australia) has described the notified conduct as follows:

Subaru Australia will supply or offer to supply extended warranty services to purchasers of genuine Subaru accessories (Subaru Accessories) on the condition that the purchaser will acquire the Subaru Accessories and fitting services from authorised Subaru dealers (Subaru Dealers).

Legal immunity conferred by the notification will commence on 29 May 2009.

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.

This assessment has been made on the basis that Subaru Australia and Subaru Dealers will disclose all relevant terms and conditions to prospective clients.

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 Jasmine Tan on (02) 6243 1363.

Yours sincerely

A handwritten signature in black ink, consisting of a stylized 'R' followed by a horizontal line that tapers to the right.

Dr Richard Chadwick
General Manager
Adjudication Branch