

16 March 2010

AURORA PLACE 88 PHILLIP STREET SYDNEY
GPO BOX 521 SYDNEY NSW 2001 AUSTRALIA
DX 117 SYDNEY www.minterellison.com
TELEPHONE +61 2 9921 8888 FACSIMILE +61 2 9921 8123

FILE No:

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BY EXPRESS POST

General Manager
Adjudication Branch
Australian Competition and Consumer Commission
23 Marcus Clarke Street
Canberra ACT 2601

Dear Sir/Madam

Allianz Australia Insurance - Exclusive Dealing notification

We act for Allianz Australia Insurance Limited (**Allianz**).

Enclosed is an Exclusive Dealing Notification lodged on Behalf of Allianz in relation to a third line forcing matter, together with a cheque for \$100 as payment of the required lodgement fee.

Please contact me on 02 9921 4599 or Alison Bruscano on 02 9921 8531 if you have any questions.

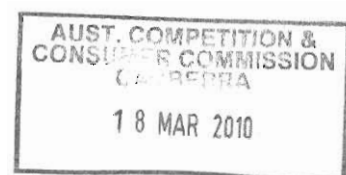
Yours faithfully
MINTER ELLISON

per 

Paul Schoff
Partner

Contact: Alison Bruscano Direct phone: +61 2 9921 8531 Direct fax: +61 2 9921 8012
Email: alison.bruscano@minterellison.com
Partner responsible: Paul Schoff Direct phone: +61 2 9921 4599
Our reference: PMS 205299629

enclosure



Form G

Commonwealth of Australia

Trade Practices Act 1974 - sub-section 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.

1. Applicant

(a) Name of person giving notice:

N94565

Allianz Australia Insurance Limited (ACN 000 122 850) (Allianz)

(b) Short description of business carried on by that person:

Provision of general insurance services, including motor vehicle insurance

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

*c/o Paul Schoff
Minter Ellison Lawyers
Level 19
88 Phillip Street
SYDNEY NSW 2000*

2. Notified arrangement

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

*New vehicles supplied by Barloworld Motor (Aust) Pty Limited (**Barloworld**) and comprehensive car insurance provided by Allianz.*

(b) Description of the conduct or proposed conduct:

Allianz proposes to offer 14 days free comprehensive car insurance on each new vehicle sold by Barloworld at its dealerships found at Five Dock, Mascot, Bayside and Glen Waverley. The cost of the premiums will be borne by Allianz for the 14 day period.

Allianz anticipates that this offer will commence at the beginning of April 2010 and will run for three months.

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:

Customers of Barloworld who wish to purchase a new Volkswagen and acquire comprehensive car insurance in relation to that vehicle.

- (b) Number of those persons:

- (i) At present time:

Estimated 300

- (ii) Estimated within the next year:

Estimated 300

- (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:

The free insurance offered is of direct benefit to consumers who wish to purchase a new Volkswagen from Barloworld. The offer will also ensure that there is less likely to be a gap between the purchase of a vehicle and the acquisition of insurance. Customers will have more time to make decisions in relation to ongoing insurance requirements.

The proposed offer may also promote competition in the retail markets for both motor insurance and for motor vehicles.

- (b) Facts and evidence relied upon in support of these claims:

The offer represents a direct benefit to purchasers of new Volkswagens from Barloworld as the 14 day free insurance period will result in a saving on car insurance payments for customers.

The 14 day free period will also allow purchasers adequate time to consider options in relation to ongoing insurance requirements. There is no obligation to accept the free insurance offer in order to acquire a new vehicle from the Volkswagen dealer. Further, customers who do accept the offer are not obliged to acquire insurance from Allianz on an ongoing basis. Purchasers will be offered the option of providing the dealer with their banking details at the time of purchase on provision of a quote for a 12 month policy so that the policy will automatically come into force at the expiry of the 14 day free period. However, purchasers are not obliged to provide these details, and may notify Allianz prior to the expiry of the 14 day period if the customer does not wish to proceed.

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):

In broad terms, the markets in which new vehicles are provided by Barloworld and comprehensive car insurance is provided by Allianz are the retail market for motor vehicles and the retail market for motor vehicle insurance in New South Wales.

Both the market for sales of motor vehicles and the market for motor vehicle insurance are highly competitive and there is a high degree of substitutability between brands of vehicle and insurance.

Given that the offer is currently limited to customers of a single Volkswagen dealer, it will clearly only affect a minimal portion of the overall retail motor vehicle market and the overall motor insurance segment.

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:

Allianz does not believe that there is any detriment to consumers associated with the proposed offer. Eligible customers will not be obliged to accept the free insurance offer from Allianz. Ongoing insurance services need not be acquired from Allianz and may be acquired from any provider. All relevant markets remain highly competitive.

- (b) Facts and evidence relevant to these detriments:

Purchasers are free to choose whether or not to accept the free insurance offer. A number of factors are assessed by a consumer before they determine what comprehensive car insurance service is appropriate for them.

Consumers will decide whether or not to acquire a vehicle from Barloworld based upon a comparison of pricing and offers.

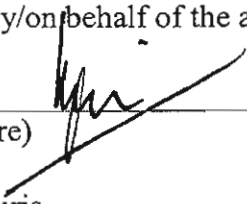
7. Further information

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

*Paul Schoff
Minter Ellison Lawyers
Level 19
88 Phillip Street
SYDNEY NSW 2000*

Dated

Signed by/on behalf of the applicant



(Signature)

Niran Peiris

(Full Name)

Allianz Australia Insurance Limited

(Organisation)

Chief General Manager, Retail Distribution

(Position in Organisation)