



A SUNCORP COMPANY

GIO General Limited
ABN 22 002 861 583

Company Address:
Level 18
36 Wickham Tce
BRISBANE QLD 4000

Contact:
PO Box 3999
Sydney 2001
Australia

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Geoff.Gay@suncorp.com.au
www.gio.com.au

21 June 2010

Dr Richard Chadwick
General Manager
Adjudication Branch
Australian Competition and Consumer Commission
GPO Box 3131
CANBERRA ACT 2601

Dear Dr Chadwick

GIO General Insurance Limited – Exclusive Dealing Notification

GIO General Limited ABN 22 002 861 583 (**GIO**) is a member of the Suncorp Group of companies.

GIO propose to engage in conduct that would constitute exclusive dealing within the meaning of section 47(6) and (7) of the *Trade Practices Act 1974 (Cth) (the Act)*. They therefore wish to notify the ACCC of this proposed conduct under section 93 of the Act.

I attach:

- a completed Form G Notification of Exclusive Dealing; and
- a cheque for \$100 being the prescribed fee for the notification.

Confidentiality

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

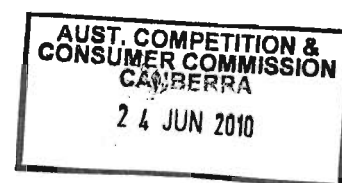
Further Queries

GIO is prepared to discuss their proposed conduct with the ACCC. Please contact us if the ACCC has any queries.

Yours sincerely

Geoff Gay
Legal Counsel
Suncorp/GIO - 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)

N94743

GIO General Limited ABN 22 002 861 583 (GIO).

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

General Insurance.

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

GIO Insurance Limited
c/- Level 18
36 Wickham Tce
BRISBANE QLD 4000

2. Notified arrangement

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

GIO is authorised as a general insurer under the *Insurance Act 1973* (Cth) and carries on a general insurance business. The goods or services to which this notice relates are Motor Vehicle Insurance general insurance products.

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

- (i) GIO 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 (**Incentive**) in relation to the supply of Insurance Products,

on the condition that the person who acquires the Insurance Products will acquire goods or services from Honda Australia Pty Limited ABN 66 004 759 611 ("Honda") or its authorised supplier.

(ii) GIO may from time to time refuse to:

- supply Insurance Products at a particular price; and
- give or allow an Incentive 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 goods or services from Honda.

(iii) GIO anticipates that generally the conduct or proposed conduct would involve Insurance Products from GIO.

(iv) The specific Incentive offered will vary from offer to offer. Examples of the types of Incentive that may be offered include, but are not limited to:

- A price reduction (for example 10% off or \$50 off);
- A refund of a portion of the amount paid (for example \$100 cash back);
- An optional cover provided with the general insurance product for no additional premium (for example Windscreen Cover with Comprehensive Motor Vehicle Insurance); and/or
- An extended period of cover for no additional premium (for example 13 months for the price of 12).

(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)

Honda customers (Honda estimated new car sales in Australia for 2010 are approximately 50,000)

(b) Number of those persons:

(i) At present time:

Unknown (currently, GIO understands that Honda has approximately 50,000 customers in Australia each year).

(ii) Estimated within the next year:

(Refer to direction 6)

Unknown.

(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)

The principal public benefit of the notified conduct is reducing the price to customers of Insurance Products.

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

GIO relies on the arguments set out in item 4(a).

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)

The market for the supply of general insurance.

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)

GIO considers that any public detriment is likely to be minimal (if any) for the following reasons:

- Honda customers are not obliged to acquire Insurance Products from GIO: they are free to acquire insurance from another insurer (of which there are many in a competitive market) or not acquire insurance at all.
- The notified conduct is not designed to allow GIO to refuse to offer insurance to any person: the issue relates only to the price of that insurance and

whether the customer is eligible for an Incentive.

- The conduct is unlikely to appreciably affect competition in either the general insurance market or the motor traders market, each of which is competitive.

(b) Facts and evidence relevant to these detriments:

GIO relies on the arguments set out in item 6(a).

7. Further information

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

Geoff Gay
Legal Counsel
Suncorp/GIO - Group Legal
Level 2 Suncorp Place
18 Jamison Street
SYDNEY NSW 2000

Phone: (02) 8121 1275
Fax: (02) 8121 9538
Email: geoff.gay@gio.com.au

Dated 21 June 2010

Signed by/on behalf of the applicant



.....
(Signature)

Geoff Gay
(Full Name)

GIO General Limited ABN 22 002 861 583
(Organisation)

Legal Counsel
(Position in Organisation)