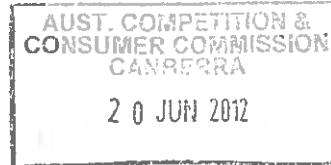


Adjudication Branch
Australian Competition and Consumer Commission
GPO Box 31
CANBERRA ACT 2601

Dr Richard Chadwick
General Manager
Adjudication Branch

FILE No:
DOC:
MARS/PRISM:



To the General Manager

SUNCORP - NOTIFICATION OF EXCLUSIVE DEALING

Dear Richard,

I/We am opposing and expressing my disgust at the ACCC for allowing an exemption to stand, which was submitted by Vero Insurance which is now a brand of the Suncorp Group.

This Group is now the single biggest car insurer in Australia.

This group now owns AAMI INSURANCE, SUNCORP INSURANCE, JUST CAR INSURANCE, APIA, BINGLE, GIO INSURANCE, AUSTRALIAN PENSIONERS INSURANCE, NEW ZEALAND COMMERCIAL INSURANCE, SHANNONS, INSURE MY RIDE, VERO, CIL, ASTERON, TYNDALL INSURANCE BRANDS (AU), GUARDIAN TRUST, VERO MARINE, VERO LIABILITY, AA INSURANCE, SIS, CMV/AXIOM, MARINER, COMPREHENSIVE TRAVEL INSURANCE, TERRI SCHEER INSURANCE, MILLION DOLLAR WOMAN, RACT INSURANCE AND AUTOSURE BRANDS (NZ).

So as a small Australian business owner, I am appalled at any business this big being allowed by the ACCC to seek any exemption from the Trades Practices Act/Competition and Consumers Act 2010.

As a business owner, I am suffering financial hardship as a direct result of the ACCC decision. I cannot believe the betrayal of our basic business rights by the ACCC that have been taken away by allowing the biggest industry player to have this exemption.

I demand the answers to each of my questions –

1. What type of consultation process was taken by the ACCC that involved the effects for the sustainability of mine and other businesses like mine, which in return is leading to the unemployment of staff in our businesses?
2. Did the ACCC have a Steering Committee in place to provide an overview of such decisions?
3. Who were the members of this Steering Committee?
4. What Small Businesses or representative bodies had been contacted prior to making this decision?
5. What is the scale of compensation has the ACCC planned for the businesses that have closed as a direct result of this ACCC decision?
6. How will the ACCC provide compensation to the employees of these businesses who will no longer be able to gain work within this industry?

7. How is the ACCC ensuring competition in the Australian Smash Repair Industry with this exemption?
8. What mental health management training has the ACCC put in place to ensure that the repair industry is trained to assist with these policyholders/consumers when their local business whom they have had a long standing association & where they want their children to someday work in, deal with the loss of working opportunities in their local areas due to this uncompetitive exemption?
9. What measures have the ACCC required Suncorp to abide by that will not disadvantage a policyholder/consumer whom seeks to have their local small business undertake that customers work which is not part of the Suncorp repairer network?
10. What measures have the ACCC required Suncorp to abide by that will not disadvantage a policyholder/consumer whom seeks to have their local small business undertake their work after agreeing to have a cash settlement from a Suncorp Group Insurer?
11. What assurances has the ACCC accepted on behalf of a Suncorp policyholder that the cash settlement offered by Suncorp to repair that vehicle will ensure that the vehicle can be repaired back to pre-accident condition in line with the manufacturers specifications ensuring that the safety and structural integrity, presentation and utility is restored?
12. How has the ACCC determined the benefits of this exemption?
13. Who does the ACCC think this decision benefits?
14. How will the ACCC ensure that Suncorp Customers are benefitting from this exemption?

In the repair industry we are struggling to maintain our businesses, pay our bills or provide employment for our staff. How can Suncorps CEO, Patrick Snowball, announce that by June 2013 they will have made a \$235 million dollar saving?

All of us in this industry assume that it will be from the savings generated by the execution on the ACCC exemption where Suncorp will force policyholders to repair shops owned or contracted by them under harsh, oppressive terms and conditions!

These cost cuts are unsafe and are detrimental to the lives of the consumers which the ACCC have aided and abetted are representing.

Suncorp and its Group of Insurers has according to the India Times further set up the largest off shore Insurance Claims department that India has seen in the past ten years.

How is this beneficial to policyholders, consumers or Australia also not a sustainable business practice for Australia.

I and the many others that now find themselves will look forward to your immediate and urgent response on this Industry Crisis that the ACCC has subjected the Australian Motor Repair Industry too.

Regards