



Form G

Commonwealth of Australia
Competition and Consumer Act 2010 — 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 *Competition and Consumer Act 2010*, 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)

N96208

Macquarie Leasing Pty Limited ACN 002 674 982

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

Macquarie Leasing carries on the business of supplying finance for the acquisition of motor vehicles, equipment and other personal property.

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

Mr Ronnie Alam
Macquarie Leasing Pty Limited
Level 3, 9 Hunter 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:

Finance acquisition of motor vehicles, equipment and other personal property.

(b) Description of the conduct or proposed conduct:

Macquarie Leasing Pty Ltd will, from time to time, offer to supply certain benefits (monetary and/or otherwise), discounts, allowances, rebates and/or credits on or in connection with interest rate loans and other financial products to applicants who satisfy Macquarie Leasing's lending and approval criteria ("Approved Customer") on the condition that they, or any related entity, are a customer, member or prospective customer or member of a certain third party as nominated by Macquarie Leasing. The benefits, discounts, allowances, rebates and/or credits may include payment-free periods, discounted repayments, reduced deposits, insurances, vouchers, cash back payments, discounted pay-out amounts and other benefits.

(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)

Persons who are, or are a related entity to a person who is, a customer, member or prospective customer or member of a certain third party as nominated by Macquarie Leasing and who is an Approved Customer.

(b) Number of those persons:

(i) At present time:

NIL

(ii) Estimated within the next year:

(Refer to direction 6)

Exceeds 50

(c) Where number of persons stated in item 3 (b) (i) is less than 50, their names and addresses:

NA

4. Public benefit claims

(a) Arguments in support of notification:

(Refer to direction 7)

The proposed benefits of the described conduct include:

- i. The promotion of competition amongst financial services providers for the supply of motor vehicles, equipment and other personal property finance.
- ii. Encouraging Macquarie Leasing's competitors in the motor vehicle, equipment and other personal property finance space to offer competitive financial services offerings to customers.
- iii. Provide customers with the opportunity to obtain more beneficial finance on motor vehicles, equipment and other personal property finance.
- iv. Approved Customers will benefit from the special benefits available to them through the acquisition of motor vehicle, equipment and other personal property finance from Macquarie Leasing.

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

- i. Competition in the relevant market is vigorous.
- ii. There are a large number of alternative participants who compete with Macquarie Leasing in the provision of motor vehicle, equipment and other personal property finance. Macquarie Leasing's competitors include all financial institutions including banks, building societies and credit unions, to which any of these customers could readily turn.
- iii. There are a significant number of credit card providers and payment method service providers which compete for use.

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)

Financial services market in Australia.

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)

There is little or no identifiable detriment to the public resulting from the described conduct.

The conduct described will not decrease competition in the financial services market in Australia.

Macquarie Leasing is not restricting customers' ability to select from which financier they will acquire motor vehicle, equipment and other personal property finance, how they may make payments thereunder or from which supplier they will acquire their motor vehicle, equipment and other personal property.

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

Competition in the relevant market will continue to be vigorous.

The described conduct does not preclude a customer from acquiring a motor vehicle, equipment or any other personal property using any form of finance, including that of a competing financial services provider.

Competing financial services providers are permitted to offer similar, or more competitive, offers to customers.

The total number of customers that could potentially be affected by the described conduct is a very small proportion of the total number of customers that will obtain motor vehicle, equipment and other personal property finance in Australia.

7. Further information

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

Mr Ronnie Alam

Associate Director – Legal Counsel
Macquarie Leasing Pty Limited
Level 3, 9 Hunter Street
Sydney NSW 2000

Dated..... 18 October 2012

Signed by/on behalf of the applicant

.....
(Signature)

.....
RONNIE ALAM

(Full Name)

.....
MACQUARIE LEASING

(Organisation)

.....
ASSOCIATE DIRECTOR - LEGAL COUNSEL

(Position in Organisation)



DIRECTIONS

1. In lodging this form, applicants must include all information, including supporting evidence that they wish the Commission to take into account in assessing their notification.

Where there is insufficient space on this form to furnish the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the applicant.

2. If the notice is given by or on behalf of a corporation, the name of the corporation is to be inserted in item 1 (a), not the name of the person signing the notice, and the notice is to be signed by a person authorised by the corporation to do so.
3. Describe that part of the business of the person giving the notice in the course of the which the conduct is engaged in.
4. If particulars of a condition or of a reason of the type referred to in section 47 of the *Competition and Consumer Act 2010* have been reduced in whole or in part to writing, a copy of the writing is to be provided with the notice.
5. Describe the business or consumers likely to be affected by the conduct.
6. State an estimate of the highest number of persons with whom the entity giving the notice is likely to deal in the course of engaging in the conduct at any time during the next year.
7. Provide details of those public benefits claimed to result or to be likely to result from the proposed conduct including quantification of those benefits where possible.
8. Provide details of the market(s) likely to be affected by the notified conduct, in particular having regard to goods or services that may be substitutes for the good or service that is the subject matter of the notification.
9. Provide details of the detriments to the public which may result from the proposed conduct including quantification of those detriments where possible.