

Our Ref: C2012/830
Contact Officer: Jasmine Tan
Contact Number: 02 6243 1363



**Australian
Competition &
Consumer
Commission**

20 December 2012

Stephen Kerr
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Dear Mr Kerr

**Third line forcing notification N96151 lodged by N.W.G. Pty Ltd trading as
The National Windscreen Group**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 20 September 2012. The notification has been placed on the ACCC's public register.

N.W.G. Pty Ltd, trading as The National Windscreen Group (NWG), proposes to sub-contract automotive glass repair work to its members, who are independent, operator owned automotive glass repair and replacement operators, on the condition that those members acquire glass and other inputs from suppliers nominated by NWG from time to time. The current supplier with whom NWG seeks to negotiate and appoint as its preferred supplier is National Auto Glass Supplies Pty Limited (NAGS).

Legal protection conferred by the notification commenced on 4 October 2012. I note that this protection does not extend to conduct engaged in before 4 October 2012.

On the basis of the information provided to the ACCC, 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 legal protection provided 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 NWG and NAGS will disclose all relevant terms and conditions to prospective customers.

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 or by email to jasmine.tan@acc.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Richard Chadwick'.

Dr Richard Chadwick
General Manager
Adjudication Branch