



**Australian
Competition &
Consumer
Commission**

GPO Box 3131
Canberra ACT 2601

23 Marcus Clarke Street
Canberra ACT 2601

tel: (02) 6243 1111
fax: (02) 6243 1199

www.accc.gov.au

Our Ref: 48863
Contact Officer: Mark Basile
Contact Number: (03) 9290 1855

28 May 2012

Chandra Kham
Legal & Compliance Advisor
BMW Australia Finance Ltd
783 Springvale Road
Mulgrave VIC 3170

By email: Chandra.kham@bmwfinance.com.au

Dear Ms Kham

**Third line forcing notifications N95849 and N95869 lodged by
BMW Australia Finance Limited**

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 3 May 2012 and 15 May 2012. These notifications have been placed on the ACCC's public register.

BMW Australia Finance Limited (BMW) proposes to:

- offer free scheduled servicing and/or insurance policy(s) on condition that the customer obtains finance from BMW to acquire a specified vehicle from a dealership prescribed by BMW (the first notification); and
- offer free options or accessories on a motor vehicle on condition that the customer obtains finance from BMW to acquire a specified vehicle from a dealership prescribed by BMW (the second notification).

Legal immunity conferred by the first notification commenced on 17 May 2012 and legal immunity conferred by the second notification commenced on 29 May 2012.

On the basis of the information that you have provided, 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 immunity afforded by these notifications 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 BMW, and any relevant BMW dealership, 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 Mark Basile on (03) 9290 1855.

Yours sincerely



Dr Richard Chadwick
General Manager
Adjudication Branch