

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)

N97127 Travel Insurance Partners Pty Limited (ABN 73 144 049 230) (“TIP”)

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

Supply of general travel insurance services

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

Head of Risk & Compliance,
Travel Insurance Partners Pty Limited
Level 10, 60 Miller Street,
North Sydney NSW 2060

2. Notified arrangement

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

The proposed offer relates to travel insurance products available for sale in participating Australia Post retail outlets throughout Australia, online through Travel Insurance Partners websites and over the phone via a Travel Insurance Partners telephone number. These travel insurance products are international comprehensive plans (available online, by phone and in-store), an international basic plan (available online and by phone) and a domestic plan (available online and by phone).

Australia Post distributes the travel insurance products as an Authorised Representative, AR 338646, of Travel Insurance Partners Pty Limited (ABN 73 144 049 230), AFSL 360138 who arranges insurance underwritten by Great Lakes Reinsurance (UK) PLC, trading as Great Lakes Australia ARBN 127 740 532, ABN 18 964 580 576, AFSL 318603.

- (b) Description of the conduct or proposed conduct:
(Refer to direction 4)

Australia Post proposes to offer specific discounts to retail customers who purchase specified travel related products or services and/or other retail products and services (“specified retail products or services”), on travel insurance and services if they purchase travel insurance online through Australia Post or through a participating Australia Post retail outlet.

Australia Post is also proposing to offer specific discounts to its retail customers on specified retail products or services on the condition that the retail customers have purchased travel insurance online through Australia Post, or through a participating Australia Post retail outlet.

The supply and issue of the travel insurance products will be arranged by TIP.

The proposed conduct by TIP as provider of travel insurance products and services underwritten by GLA, may be characterised as contravening sections 47(6) and (7) of the Competition and Consumer Act 2010 (Cth) in so far as TIP could be said to be:

(a) giving or allowing or offering to give or allow, a discount, allowance, rebate or credit in relation to the supply of goods or services (being the travel insurance products and services) to consumers on condition that the consumers acquire or agree to acquire, specific retail products or services from Australia Post; and/or

(b) refusing to give or allow a discount, allowance, rebate or credit in relation to the supply of the goods or services (the travel insurance products and services) to consumers for the reason that the consumers have not acquired or have not agreed to acquire specific retail products or services.

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)

Customers who acquire travel insurance from participating Australia Post retail outlets, online through an Australia Post branded Travel Insurance Partners website and over the phone via an Australia Post Travel Insurance Partners telephone number.

- (b) Number of those persons:

- (i) At present time:

Substantially in excess of 50

- (ii) Estimated within the next year:
(Refer to direction 6)

Substantially in excess of 50

- (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)

Travel Insurance Partners submits that the public benefit that will flow from the proposed conduct includes:

- Various retail products and services will be offered at lower prices to customers purchasing travel insurance from Australia Post.
- Travel insurance and services will be offered at lower prices to customers purchasing various retail products and services from Australia Post.
- The availability of lower prices will promote competition in the general retail market and travel insurance market for the prices of similar products.
- The general retail market and travel insurance market's are competitive and the offering of such discounts may promote other discount schemes that further promote competition and advantages for customers.

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

The discount proposed at commencement is between 0% and 100%, depending on the promotion.

The environment in which Australia Post and these other retailers exist is already competitive and this will increase competition between the parties which will result in benefits for customers.

The environment in which Travel Insurance Partners and other travel insurance providers exist is already competitive and this will increase competition between the parties which will result in benefits for customers.

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)

In broad terms it is submitted that the markets primarily relevant to the assessment of this notification are as follows:

- (a) the market for the supply of travel insurance products and services to consumers in Australia; and
- (b) the retail market for travel related products and services and other retail products and services; and
- (c) the retail market for stationary (excluding postal products and services) gifts, prepaid mobile phones and electronic goods (under the value of \$500)

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)

- Customers are free to choose whether to acquire a travel range product at Australia Post retail outlets in order to obtain a discount on travel insurance.

Customers that elect not to purchase a travel range product will still be able to purchase their desired travel insurance product, albeit not at a discount.

- The retail market for the supply of travel insurance is highly competitive. There are a number of alternative suppliers in the market from which consumers can choose to purchase travel insurance.
- The proposed offer will be conducted for a limited period of time so it unlikely to have a substantial effect on competition in any relevant markets.

(b) Facts and evidence relevant to these detriments:

(a) There is no requirement for anyone to have purchased a travel insurance policy through Australia Post in order to make purchases online at Australia Post or from a participating retail outlet; and

(b) there is no requirement for anyone who has purchased travel insurance online through Australia Post or through a participating Australia Post retail outlet, to purchase travel related products and services or other retail products or services online or from a participating Australia Post retail outlet.

7. Further information

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

Christine Craig

Head of Risk & Compliance

Travel Insurance Partners Pty Limited

Postal Address: Level 10, 60 Miller Street, North Sydney 2060

Direct telephone: 02 8907 5401

Dated: 12 November 2013

Signed by/on behalf of the applicant



(Signature)

Christine Craig
(Full Name)

Travel Insurance Partners Pty Limited
(Organisation)

Head of Risk & Compliance
(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.