

Aioi Nissay Dowa Insurance Co.,Ltd.

MS&AD INSURANCE GROUP

ABN 39 096 302 466

Andrea Gardiner
Corporate Counsel
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18 March 2013

Australian Competition and Consumer Commission
Level 35
The Tower
360 Elizabeth Street
Melbourne Vic 3000

FILE No:
DOC:
MARS/PRISM:

Dear Sir,

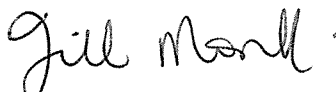
Aioi Nissay Dowa Insurance Co., Ltd. – Exclusive Dealing Notification

We enclose on behalf of Aioi Nissay Dowa Insurance Co., Ltd. (ABN 39 096 302 466), the applicant:

- An exclusive dealing notification Form G for lodgement.
- A cheque for the applicable lodgement fee of \$100.00.

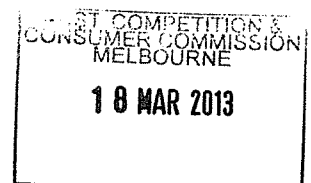
Please contact us if you have any queries relating to this matter.

Yours sincerely,



Jill Monk
Corporate Counsel

Encl.



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 in subsections 47 (2), (3), (4), (5), (6), (7), (8) and/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:

N96667

Aioi Nissay Dowa Insurance Co., Ltd. (ABN 36 096 302 466) (Aioi Nissay Dowa)

b. Short description of business carried on by that person:

Aioi Nissay Dowa supplies insurance products

c. Address in Australia for service of documents on that person:

Aioi Nissay Dowa Insurance Co., Ltd,
Level 8, 390 St Kilda Road, Melbourne, Vic 3004.

2. Notified arrangement

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

The notice relates to the supply of motor vehicle insurance products

b. Description of conduct or proposed conduct:

Aioi Nissay Dowa, trading as Toyota Insurance, sells motor vehicle insurance products to customers of Toyota Motor Vehicle Dealers nationwide. These Toyota Dealers are authorised by Aioi Nissay Dowa (pursuant to Insurance Distributor Agreements) to sell the motor vehicle insurance products and are appointed as Toyota Insurance product distributors. Aioi Nissay Dowa proposes to make motor vehicle insurance offers through Toyota Motor Vehicle Dealers as part of promotions to be run from time to time.

NOTIFICATION OF EXCLUSIVE DEALING

(Aioi Nissay Dowa Insurance Co., Ltd)

Customers who purchase vehicles from a Toyota Motor Vehicle Dealer will be given free comprehensive motor vehicle insurance from Aioi Nissay Dowa for up to twelve (12) months.

Toyota Financial Services (TFS), a division of Toyota Finance Australia Limited (ABN 48 002 435 181) will fund the costs associated with these campaigns. TFS will pay Aioi Nissay Dowa any insurance premiums that become due.

The proposed offerings may constitute third line forcing (pursuant to sections 47 (6) and 47 (7) of the Competition and Consumer Act 2010. This is because it may be argued that the Aioi Nissay Dowa offers will only be available to customers of Toyota Motor Vehicle Dealers.

3. Persons, or classes of person, affected or likely to be affected by the notified conduct:

a. Class or classes of persons to which the conduct relates:

Purchasers of Toyota vehicles in the offer from Toyota Motor Vehicle Dealers.

b. Number of those persons:

i. At present time

Unknown

ii. Estimated within the next year

Unknown

c. Where number of persons stated in item 3 (b) (1) is less than 50, their names and addresses:

Not applicable

4. Public benefit claims

a. Arguments in support of notification:

Customers will benefit from the campaigns by being able to access free motor vehicle insurance for up to twelve (12) months.

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

The proposed conduct will allow customers to access motor vehicle insurance for free.

5. Market definition

- a. 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):**

The relevant market is the market for the supply of motor vehicle insurance products 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:**

There is no known public detriment as a result of the proposed conduct. Aioi Nissay Dowa considers that no public detriment is likely to result from the proposed campaigns for the following reasons:

Toyota customers are not obliged to take up the offer and are free to acquire motor vehicle insurance from another insurer

The insurance industry is competitive and there are many alternative providers of motor vehicle insurance available. Competition in the industry is not adversely affected by the proposed campaigns.

The price of the vehicles is not adversely affected by the campaigns.

b. Facts and evidence relevant to these detriments:

The proposed conduct will provide customers of Toyota Motor Vehicle Dealers who purchase certain Toyota vehicles with the benefit of free insurance if they choose to accept the offer. These customers are not obliged to purchase insurance from Aioi Nissay Dowa in order to purchase the vehicle.

NOTIFICATION OF EXCLUSIVE DEALING

(Aioi Nissay Dowa Insurance Co., Ltd)

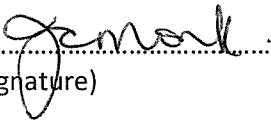
7. Further information

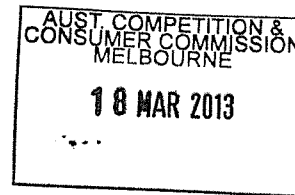
- a. Name, postal address and contact telephone number of the person authorised to provide additional information in relation to this notification:

Jill Monk
Legal Counsel
Aioi Nissay Dowa Insurance Co., Ltd.
Level 8, 390 St Kilda Road,
Melbourne, Vic 3004
Phone: (03) 9869 0143
Mobile: 0413 017 432
Email: jmonk@aioinissaydowa.com.au

Dated: 18 . 3 . 13

Signed by/on behalf of the applicant:


.....
(Signature)



Jill Monk
.....
(Full Name)

Aioi Nissay Dowa Insurance Co., Ltd.
.....
(Organisation)

Legal Counsel
.....
(Position in Organisation)