

**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.

**1. Applicant**

(a) Name of person giving notice:

N96510 Catlin Australia Pty Limited (ABN 64 108 319 786) ("**Catlin**").

(b) Short description of business carried on by that person:

Catlin is an ASIC licensed distributor of general insurance products.

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

Catlin Australia Pty Limited  
Level 19, 83 Clarence 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:

Catlin is launching a "point of sale" jewellery insurance policy to insure specific items of jewellery on a "repair and replacement" basis.

These jewellery items would normally exceed the item cover limits of a standard home and contents insurance policy.

The jewellery insurance policy is known as "Jewelsure" ("**Policy**"). The insurance provided under the Policy is the service to which this notice relates.

(b) Description of the conduct or proposed conduct:

Persons seeking to acquire jewellery from an approved "Jewelsure" jeweller are to acquire insurance under the Policy at the time of purchase of the jewellery.

Persons who already own jewellery may also acquire insurance under the Policy from an approved "jewelsure" jeweller.

In the event that the Policy holder suffers loss or damage to an insured item of jewellery under the Policy, Catlin will pay for the repair or replacement of that jewellery item from any jeweller on the panel of jewellers ("**Panel**").

The insured will choose the jeweller from the Panel to repair or replace the jewellery item and notify Catlin accordingly. The Policy holder is not limited to the jeweller from whom they originally acquired insurance under the Policy. However, the insured may only select a jeweller from the list of jewellers on the Panel.

Payment will then be made to that jeweller by Catlin in accordance with the terms of the Policy.

There are currently 70 jewellers on the Panel. Catlin intends to add further jewellers to the Panel as they are approved and has a commercial incentive to expand the Panel. Catlin envisages there should be more than 1000 jewellers on the panel by 2014.

**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:

Persons who have purchased the Policy.

- (b) Number of those persons:

- (i) At present time:

Up to 20

- (ii) Estimated within the next year:

Our business forecasts conservatively indicate that there may be up to 3000 policy holders over the next 12 months.

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

N/A

**4. Public benefit claims**

- (a) Arguments in support of notification:

High value items of jewellery are often not covered, or are not fully covered in a typical home and contents insurance policy. While specific insurance for such jewellery is available in the market, it is often expensive. Accordingly, items of jewellery are often underinsured.

Catlin's has developed a product that seeks to address demand for such insurance at a competitive price. Accordingly, consumers will directly benefit from the Policy as it will increase competition and meet existing demand.

The use of a Panel is essential to the price at which Catlin can supply the Policy.

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

A copy of the Policy can be downloaded at: <https://www.jewelsure.com.au/>

## 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):

The relevant market is most likely to be the national market for the supply of home contents' insurance to consumers. Jewellery is an item that is normally covered in such insurance, although item limits apply.

Catlin considers that it is competing with existing providers of home and contents insurance. Catlin also considers that it is competing with existing providers of insurance for specific items of jewellery.

Other providers of home and contents insurance in Australia are very numerous and include, for example, AAMI, Allianz, ANZ, AON, Bendigo, Budget Direct, CGU, CommInsure, CUA, IMB, NMRA, OnePath, Real Insurance. and Suncorp. The market is highly competitive.

Other providers of insurance specifically addressed at jewellery items include Chubb Insurance. However, many of the other providers identified above have the capability to insure items of high end jewellery whether or not as part of their existing insurance offerings.

The Policy will be available nationally, although different configurations of insurance may be offered by Catlin's competitors in different States and Territories of Australia. For the purposes of this notification, Catlin has assumed the market is national.

## 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:

Catlin considers that there is little or no detriment from the public arising from the notification or the conduct proposed to be undertaken pursuant to the notification.

Members of the public have a choice as to whether or not they acquire the Policy. Members of the public are aware that if they acquire the Policy, they will be limited to the Panel in relation to repair or replacement. However, there are a large number of jewellers on the panel and this number will increase substantially, so any practical exclusionary effect is negligible.

Any jeweller can apply to join the Jewelsure network, and on satisfying the requirements to be a distributor of insurance products will qualify to join the claims panel.

The offering of the Policy should further increase competition in the insurance market, so should cause prices to reduce rather than increase.

(b) Facts and evidence relevant to these detriments:

No evidence of public detriment.

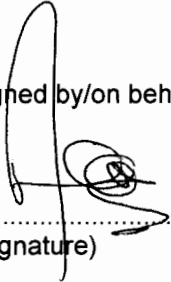
**7. Further information**

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

Attention: Andrew Case  
Catlin Australia Pty Ltd  
Level 19, 83 Clarence Street  
Sydney NSW 2000

Dated 21/12/12

Signed by/on behalf of the applicant

  
.....  
(Signature)

ANDREW CASE  
.....  
(Full Name)

CATLIN AUSTRALIA PTY LTD  
.....  
(Organisation)

DIRECTOR  
.....  
(Position in Organisation)