

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)

N97303 True Insurance Pty Ltd
A.C.N. 163 278 493

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

Sale of Insurance Products as Authorised Representative of Ace Insurance Limited A.C.N. 001 642 020 by telemarketing, online website promotion and other forms of electronic marketing

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

C/- Suite 203 Level 2 Pivotal Point Building 50 Marine Parade
Southport Q 4215 (PO Box 3847 Australia Fair Q 4215)

2. Notified arrangement

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

True Insurance Pty Ltd offers to customers of Energy Australia to whom it markets energy solutions 6 months free Bill Protection Cover with any new Energy Australia Contract. At the expiration of the 6 Month period, it is up to the Client if they want to continue with the Bill Protection Coverage for a fee or not. If the client wishes to take only an Energy Australia Contract without any free Bill Protection Coverage, they can. If the client wishes to take only Bill Protection Cover without an Energy Australia Contract, they also can.

- (b) Description of the conduct or proposed conduct:

Refer to details set out in 2(a) above. The Applicant repeats and relies upon same in answer to this question.

(Refer to direction 4)

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)

Electricity and Energy Consumers in Australia and other Consumers in Australia who purchase Bill Insurance Coverage

- (b) Number of those persons:

- (i) At present time:

The selling of Energy Contracts with the offer of 6 Months Free Bill Insurance Coverage and the sale of Bill Coverage Insurance is yet to commence so the number of persons presently affected is Nil

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

250,000 to 500,000 Consumers

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

Not Applicable as the number in Paragraph 3(b)(i) is Nil.

4. Public benefit claims

- (a) Arguments in support of notification:
(Refer to direction 7)

Bill Protection Coverage has been designed to help cover the cost of Consumers monthly bills in the event of the Consumer's Involuntary Unemployment or following an Accidental Injury or Sickness while the Consumer can focus on recovering and getting back on their feet and back into the workforce.

Life is full of surprises. But whatever else happens, one thing's for certain: bills keep on coming. The Bill Protection Coverage allows Consumers peace of mind in knowing that their daily living expenses would be taken care of, even if the Consumer suffer a disabling sickness or injury.

Bill Protection Coverage Insurance pays the Consumer a monthly benefit when the Consumer is temporarily disabled due to sickness or injury or

unemployment so the Consumer can take care of the essentials for their Family.

If the Consumer is the family's main income earner, Bill Protection Coverage Insurance helps to make sure that a temporary sickness or injury or unemployment doesn't endanger a Consumer's family's lifestyle. If the Consumer is the main care-giver, Bill Protection Coverage Insurance can also help take care of all the essential tasks the Consumer normally does for the Consumer's family - from childcare, to cleaning and cooking.

The Public Benefits of the provision of Free Bill Protection Coverage Insurance include:

- Free Cover to provide the forgoing Protections for 6 Months
- Introduction to Consumers of the benefits of Bill Protection Coverage Insurance at no cost or on-going obligation to the Consumer
- The Provision of a Free Bill Protection Coverage Insurance where if a claim is made the Consumer can rely upon the policy rather than become a burden on the public purse and the Social Security System
- Choice to the Consumer
- Free evaluation of the Policy and the benefits of Bill Protection Insurance Coverage with no on-going obligations.

The provision of this product free of charge offers Consumers an option and added protection on an obligation free basis. There is no downside to the offer.

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

Refer to details set out in 4(a) above. The Applicant repeats and relies upon same in answer to this question.

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)

The Bill Protection Coverage Insurance is supplied by the majority of major Credit Card Providers and the major General Insurance Providers together with their Authorised Representatives and through their broker and agents channels. The Bill Protection Coverage Insurance is also provided by linked arrangements by some product and service suppliers as agents or otherwise on behalf of General Insurance Providers.

The market to which the Bill Protector Coverage Insurance is provided can generally be defined as General Insurance Company clients, Credit Card and other Consumer Credit Providers clients and the generally any person in the consumer market for goods and services who purchase same on credit and wish to take Insurance Coverage to insure against unemployment, sickness Illness etc.

The exact nature of the insurance coverage will depend upon the specific nature and affect of the Insurance proposal and any limits and exclusions contained therein. Likewise the exact premium will depend on the risk insured, value of the coverage and any other disclosable matters relevant to the underwriters of the specific Insurance Coverage.

There are many substitutes available for the Bill Protection Coverage Insurance. Each depends on its particular terms and conditions and the proposed premiums and any free period offered with the product.

There is no restriction on the supply or acquisition of the relevant goods or services by True Insurance Pty Ltd. There may be restrictions imposed by other suppliers of similar goods and services.

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)

True Insurance Pty Ltd is unable at present to identify any significant or material detriment to the Public which arises from the subject notification.

The provision of 6 Months Free Bill Protection Coverage Insurance will possibly cause other major suppliers of Bill Protection Coverage Insurance to offer an equal or longer free no obligation trial period or reduce their cost or amend the specific policy terms to make their Insurance Product more attractive to Consumers.

- (b) Facts and evidence relevant to these detriments:

Refer to details set out in 6(a) above. The Applicant repeats and relies upon same in answer to this question.

7. Further information

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

Name: Mr Ankit Jain

Position: Director

Postal Address: PO Box 4 Broadway NSW 2007

Telephone 0420 580 919 or 02 9099 8044

Dated.3 March 2014

Signed by/on behalf of the applicant

A handwritten signature in dark ink, appearing to read 'Ankit Jain', is written over a horizontal dotted line.

(Signature)

Mr Ankit Jain
(Full Name)

True Insurance Pty Ltd
(Organisation)

Director
(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 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.