

## 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:

N98948 Medibank Private Limited (ABN 47 080 890 259) (**Medibank**)

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

Medibank is a national private health insurer. Medibank offers private health insurance and integrated healthcare services to private health insurance policyholders, government, corporate and other retail customers. Medibank also offers complementary services including life, pet and travel insurance, and telephone health lines.

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

Caroline Coops  
King & Wood Mallesons  
600 Bourke Street  
Melbourne VIC 3000  
Tel: (03) 9643 4097

### 2. Notified arrangement

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

Medibank Pet Insurance products and/or services offered by Medibank from time to time.

Veterinary services offered by veterinary practices that are associated with National Veterinary Care (ABN 17 166 200 059) (**NVC**). NVC is a national body with an aggregated group of 35 associated veterinary practices.

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

Medibank proposes to:

- supply, or offer to supply, a discount off its standard premiums for various Medibank pet insurance products and/or services for the first year of a pet insurance policy taken out with Medibank by a customer on the condition that the customer acquires veterinary services from an NVC associated veterinary practice; and/or
- refuse to supply, or refuse to offer to supply, a discount off its standard premium for various Medibank pet insurance products and/or services for the first year of a pet insurance policy taken out with Medibank for the reason that a customer has not acquired, or has not agreed to acquire, veterinary services from an NVC associated veterinary practice.

For example, Medibank proposes to offer a 15% discount off various Medibank pet insurance products and/or services for the first year of a pet insurance policy to customers who also acquire veterinary services from an NVC associated veterinary practice. After the first policy year, standard premiums will apply.

**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 or classes of persons who benefit from goods and/or services provided by NVC associated veterinary practices.

- (b) Number of those persons:

- (i) At present time:

Unknown.

- (ii) Estimated within the next year:

Substantially greater than 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:

The proposed conduct will be of benefit to the public because:

- It will enable NVC customers to purchase Medibank Pet Insurance at a discount.

- Customers remain free to acquire both Medibank Pet Insurance products and/or services and NVC services separately.
  - Competitors of Medibank and NVC will be encouraged to offer other additional value to their members, promoting competition in the relevant markets.
- (b) Facts and evidence relied upon in support of these claims:
- N/A.

**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 relevant markets for the purpose of assessing this notification include:

- national markets for the provision of pet insurance products and/or services; and
- local, regional or State based markets for the provision of veterinary care services.

These markets are highly competitive and accordingly the proposed conduct will have little effect on competition in these markets.

**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:

Medibank does not consider there to be any public detriments arising from the proposed conduct.

- (b) Facts and evidence relevant to these detriments:
- N/A.

**7. Further information**

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

Caroline Coops  
King & Wood Mallesons  
600 Bourke Street

Melbourne VIC 3000

Tel: 9643 4097

Dated..... 8 March 2016 .....

Signed by/on behalf of the applicant

.....  
(Signature)

.....  
(Full Name)

.....  
(Organisation)

.....  
(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.