

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)

N99768

National Roads and Motorists' Association Limited ABN 77 000 010 506
(NRMA)

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

NRMA provides a range motoring services to its members and the public, including roadside assistance, international drivers licences, car reviews, a diverse range of motoring, travel and lifestyle benefits, and additional products and services.

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

Lena Banoob
Senior Corporate Lawyer
National Roads and Motorists' Association Limited
9 Murray Rose Avenue,
Sydney Olympic Park NSW 2127

2. Notified arrangement

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

The relevant goods and services are the provision of a valet car servicing service by NRMA to members of Sydney Olympic Park Authority ABN 68 010 941 405 trading as Lifestyle at Sydney Olympic Park (**Lifestyle**).

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

NRMA proposes to offer Lifestyle members, who accept, the following benefit:

- a valet car servicing service whereby Lifestyle members drop off their car at NRMA head office at 9 Murray Rose Avenue, Sydney Olympic Park NSW 2027 (**NRMA Head Office**). The Lifestyle Member's car will then be taken to NRMA's car servicing centre at South Strathfield for a service. Following completion of the car service, the Lifestyle Member's car will be returned to NRMA head office for pick up by the Lifestyle member (**Offer**).

In order to minimise the risk of contravening sections 47(6) and/or 47(7) of the *Competition and Consumer Act 2010* (Cth) (**CCA**), NRMA and Lifestyle wish to notify the conduct under section 93(1) of the CCA.

(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)

The conduct relates to all Lifestyle members.

- (b) Number of those persons:

- (i) At present time:

Lifestyle currently has approximately 70,000 members but only 7,000 are expected to take up the Offer (10%).

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

We estimate that the numbers of members in the next year will be similar to that specified above.

- (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)

The proposed conduct will give rise to a benefit by providing members of Lifestyle with an exclusive valet car servicing service where the member of Lifestyle elects to take up the Offer.

The proposed conduct may also stimulate competitive responses from other motoring service providers.

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

The notified conduct offers benefits to members of Lifestyle by giving them an offer at NRMA.

The notified conduct will not result in any restriction or limitation on the ability for members of Lifestyle from purchasing car servicing services or similar services from other providers in the motoring services industry.

The notified conduct will not result in increased prices to consumers generally.

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 market is the market for motoring service and roadside assistance services.

The market for motoring service and roadside assistance services is national. There are many other competitors in this market, including major suppliers like Allianz, AAMI, Ultra Tune and Youi.

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)

The proposed conduct will not have any material anti-competitive impact on consumers or consumer choice because:

- there is no compulsion on Lifestyle members to take advantage of this Offer; and
- consumers who are not members of Lifestyle will remain free to purchase car servicing services from NRMA.

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

Not applicable.

7. Further information

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

Lena Banoob

Senior Corporate Lawyer

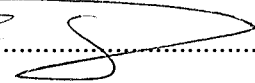
National Roads and Motorists' Association Limited

9 Murray Rose Avenue,

Sydney Olympic Park NSW 2127

Dated..... 18 July 2017

Signed by/on behalf of the applicant

.....
(Signature) 

LENA BANOOB
(Full Name)

NATIONAL ROADS AND MOTORISTS' ASSOCIATION LIMITED
(Organisation)

SENIOR CORPORATE LAWYER
(Position in Organisation)