

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)

N99563

..... WIRELESS INSTITUTE OF AUSTRALIA

..... (W.I.A.)

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

..... REPRESENTATIVE ORGANISATION FOR

..... AUSTRALIAN RADIO AMATEURS

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

..... PO BOX 2042

..... BAYSWATER

..... VIC 3153

2. Notified arrangement

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

..... SEE ATTACHED INFORMATION

(b) Description of the conduct or proposed conduct:

SEE ATTACHED INFORMATION

(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)

PERSONS SEEKING ACCREDITATION AS
A W.I.A ASSESSOR

(b) Number of those persons:

(i) At present time:

POSSIBLY 2

(ii) Estimated within the next year:

(Refer to direction 6)

POSSIBLY 15 - 20

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

THE PERSONS APPLYING COME FROM
THE GENERAL AMATEUR RADIO
POPULATION. UNTIL THE APPLICATION IS
RECEIVED THEIR IDENTITY IS UNKNOWN.

4. Public benefit claims

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

THE WIA PROVIDES THIS SERVICE ON BEHALF OF THE COMMONWEALTH. SERVICE IS ON A COST RECOVERY BASIS.
A.

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

- 1 DEED OF AGREEMENT BETWEEN THE W.I.A AND THE ACMA
- 2 BUSINESS RULES AGREED WITH THE ACMA

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 MARKET IS VERY SMALL AND ADEQUATELY COVERED GEOGRAPHICALLY UNDER CURRENT ARRANGEMENTS.
THERE ARE NO COSTS ASSOCIATED WITH ACCREDITATION.
THERE ARE NO CONDITIONS OTHER THAN MEMBERSHIP

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)

NONE
THERE IS NO CHARGE, SO NO PRICE EFFECT.

- (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:

PHILIP WAIT
PO BOX 1100
LANE COVE
NSW, 1595 0418-161-733

Dated 6/2/17

Signed by/on behalf of the applicant

(Signature)
PHILIP JOHN WAIT

(Full Name)
WIRELESS INSTITUTE OF AUSTRALIA

(Organisation)
PRESIDENT
(Position in Organisation)

Additional Information - Section 2

The Wireless Institute of Australia (WIA) is the representative body for approximately 14,000 licensed radio amateurs in Australia.

For a person to be able to transmit messages by radio they need to hold an appropriate radio communications licence.

Radiocommunications licenses take many forms, but radio amateurs are required to pass an assessment of competency prior to a licence being issued by the Australian Communications and Media Authority (ACMA).

The WIA provides licence assessment services to members of the public under a Deed of arrangement with the Commonwealth of Australia, which is administered by the ACMA.

The WIA makes a recommendation to the ACMA that a licence should be issued when an applicant has achieved the necessary level of competency.

The assessment syllabus and attainment level is determined by the ACMA. The ACMA audits the WIA from time to time to ensure standards are met, and the WIA also provides information twice yearly to the ACMA relating to service activity and financial performance.

The service is provided on a cost-recovery basis in accordance with Commonwealth Cost Recovery Guidelines.

The assessments are provided by volunteer Assessors located throughout Australia. Assessors are required to be members of the WIA.

The WIA uses a training organisation to train and accredit the volunteers to the standard required by the ACMA. The WIA also provides liability insurance cover required by the ACMA and other administrative support.

WIA Assessors are not charged a fee for their assessment, or for any other pre-requisite to become assessors.

An opinion has been expressed by a WIA member that the requirement for Assessors to be WIA members is a form of Third-Line-Forcing.

We believe this is not the case, due to the following factors:

1. There is no commercial transaction.
2. WIA accredited assessors are located throughout Australia and the number of people seeking accreditation is small. There is no effect on competition.

However, we believe Notification is in the best interests of the organization, the members and the public.