

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:

N99672

The Trustee for 24 Carat Unit Trust t/as Shiels Jewellers ABN 39 612 970 486 ("Shiels").



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

Shiels is a national jewelry retailer in the Australian retail jewellery market.

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

Shiels Jewellers

PO Box 10040

Gouger Street BC

ADELAIDE SA 5000

2. Notified arrangement

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

Jewellery.

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

Shiels proposes to offer consumers a reduction in the purchase price of the goods they purchase from Shiels when they finance their purchase by way of a Certegy Ezi-Pay Express payment plan.

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:

Consumers who enter into a Certegy Ezi-Pay Express revolving credit payment plan for the purchase of jewellery from Shiels during the period of 25 May 201~~6~~²⁰¹⁷ until 30 June 201~~6~~²⁰¹⁷

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- (b) Number of those persons:

- (i) At present time:

Nil.

- (ii) Estimated within the next year:

Greater than 50.

- (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:

The proposed conduct will benefit consumers because;

- Consumers stand to receive a substantial reduction on the price of their Shiels purchase when they use a Certegy Ezi-Pay Express revolving credit payment plan to finance their purchase.*

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

Consumers stand to receive a \$200 deduction on the purchase price of goods purchased from Shiels for every \$1,000 they spend at Shiels when they elect to use a Certegy Ezi-Pay Express revolving credit payment plan to finance their purchase.

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 the jewellery retail industry in Australia.

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:

Shiels do not consider that the proposed conduct will result in any lessening of competition in the relevant market nor result in any conceivable public detriment because:

- Shiels' consumers are under no obligation or compulsion to enter a Certegy Ezi-Pay payment plan in order to make a purchase through Shiels';*
- Shiels' consumers are under no obligation or compulsion to purchase the products they want on a Certegy Ezi-Pay payment plan and are free to finance the purchase via a variety of means distinct from a Certegy Ezi-Pay payment plan;*
- Shiels' consumers are free to finance purchases from Shiels by way of a Certegy Ezi-Pay payment plan and elect not to take up the offer.*

There are many competitors within the Australian jewellery retail industry. Consumers who do not wish to purchase from Shiels, or who do not wish to enter a Certegy Ezi-Pay payment plan, have a multitude of other jewellery retailers to

choose from who do not use Certegy Ezi-Pay payment plans and who would be incentivized to compete on price with Shiels in lieu of this offer.

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

Refer to details provided in paragraph 4 (a).

7. Further information

- (c) Name, postal address and contact telephone details of the person authorized to provide addition information in relation to this notification:

Shiels Jewellers

Attention: Toby Bensimon

PO Box 10040

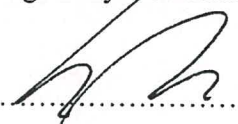
Gouger Street BC

ADELAIDE SA 5000

Ph. 088110414.

Dated.....*15/05/17*.....

Signed by/on behalf of the applicant



(Signature)

Toby Bensimon

(Full Name)

Transworld

(Organisation)

MD

(Position in Organisation)

updated 18/05/17

