



Our ref: N10000491
Contact officer: Simon Bell
Contact phone: (02) 6243 1232

23 Marcus Clarke Street
Canberra ACT 2601

GPO Box 3131
Canberra ACT 2601

tel: (02) 6243 1111
fax: (02) 6243 1199

6/08/2019

adjudication@acc.gov.au

By email

www.acc.gov.au

Dear Sir/Madam

N10000491 – Hyundai Motor Company Australia Pty Ltd, trading as Genesis Motors Australia – Exclusive dealing notification

The Australian Competition and Consumer Commission (the **ACCC**) has received a notification from the Hyundai Motor Company Australia Pty Ltd, trading as Genesis Motors Australia (**Genesis Motors Australia**) proposing to engage in exclusive dealing in relation to the establishment of a network of Genesis certified repairers for smash, collision and bodywork repairers.

The ACCC invites you to comment on the arrangement. Further information about exclusive dealing is provided in the ACCC's [Exclusive Dealing Notification Guidelines](#).

Details of the arrangement

Genesis Motors Australia wishes to establish a network of smash, collision and bodywork repairers who will be accredited as Genesis Certified Repairers. These repairers must use Genesis parts and to the extent necessary, Genesis equipment acquired from Genesis Motors Australia or Genesis Dealers. Repairers may also be required to acquire training services from Genesis Motors Australia, or a specified third party provider.

The protection from legal action provided by notification N10000491 commenced automatically when it was validly lodged with the ACCC on 17 July 2019. A copy of the notification is available on the ACCC's website:

[ACCC Exclusive Dealing Notifications Public Register](#)

The ACCC can only remove the protection provided by a notification if it is satisfied that the notified conduct:

- has the purpose, effect or likely effect of substantially lessening competition, and
- in all the circumstances, will not result in any likely public benefit(s) which would outweigh any likely public detriment(s).

Request for submission

The ACCC invites you to make a submission on whether exclusive dealing in the manner proposed by Genesis Motors Australia:

- has the purpose, effect or likely effect of substantially lessening competition, and
- will or will not result in likely public benefit(s) which would outweigh any likely public detriment(s).

If you intend to provide a submission in relation to the notification, please do so by **16 August 2019**. Submissions should be emailed to adjudication@acc.gov.au with the subject 'N10000491 – Genesis Motors Australia Notification – Submission'.

Submissions, including oral submissions, will be placed on the ACCC's public register subject to any request for exclusion (guidelines are available [here](#)).

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the notification.

If you wish to discuss any aspect of this matter, please do not hesitate to contact Simon Bell on 02 6243 1232 or adjudication@acc.gov.au.

Yours sincerely

A handwritten signature in blue ink that reads "Susie Black".

Susie Black
A/g Director
Adjudication

Interested parties

Motor Traders Association of Australia

Australian Automotive Dealer Association

Australian Chamber of Commerce and Industry

Australasian Fleet Management Association

Federal Chamber of Automotive Industries

Australian Automotive Aftermarket Association Ltd

Various Hyundai Motor Vehicle Dealers