

10 September 2019

Mr Simon Bell  
Assistant Director  
Adjudication Branch, Merger and Authorisation Review Division  
Australian Competition & Consumer Commission  
Level 2, 23 Marcus Clarke Street  
Canberra ACT 2601

Dear Simon

**Hyundai Motor Company Australia Pty Ltd, trading as Genesis Motors Australia  
(‘Genesis Motors Australia’)  
Form G Notification of Exclusive Dealing**

I refer to your email dated 5 September 2019 and the public submission of the Motor Trades Association of Australia (**MTAA**) in response to Genesis Motors Australia’s Exclusive Dealing Notification (**Notification**).

Genesis Motors Australia is grateful that the MTAA, as an important and respected automotive industry stakeholder, has engaged in the process of consultation regarding the Notification and made a public submission in relation to it. Genesis Motors Australia is particularly pleased that the MTAA is generally supportive of the arrangements set out in the Notification.

Genesis Motors Australia notes that, in paragraph 7 of their submission, the MTAA poses five questions on behalf of its constituents. I am instructed that Genesis Motors Australia responds to those questions as follows, in the same order:

- (a) At this early stage, Genesis Motors Australia only proposes to engage with a small, select number of repairers as Genesis certified repairers. In future and as the Genesis brand grows, it is possible that Genesis Motors Australia may consider appointing additional repairers as Genesis certified repairers. In all circumstances, Genesis Motors Australia would consider repairers of all sizes, provided they meet Genesis Motors Australia’s service quality expectations.
- (b) Genesis Motors Australia is not seeking to vertically integrate and establish a separate business of body repair facilities.
- (c) In view of the response to (b), not applicable.

- (d) Genesis Motors Australia's proposed agreement with certified repairers requires the repairer to comply with all "laws, regulations, industry and Australian standards, Australian design rules, codes and rules".
- (e) Genesis Motors Australia has no issue with certified repairers' rights of association, or with dealing with any applicable industry body or association on behalf of a repairer where the repairer consents to Genesis Motors Australia doing so.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Nigel Smith', is written over a light grey rectangular background.

Nigel Smith  
Principal  
**Nigel Smith Legal**