
From: Admin - Blackwood Dyno Tune & Service [REDACTED]
Sent: Thursday, 8 October 2020 9:58 AM
To: Adjudication
Subject: Mitsubishi Motors Australian Limited (MMAL) Exclusive Dealing Notification RN10000433.
Interested Party Response – Objection to the Notification

Categories: Submission

Mitsubishi Motors Australian Limited (MMAL) Exclusive Dealing Notification RN10000433.
Interested Party Response – Objection to the Notification

I object to this notification and request that the ACCC revoke this notification because this conduct:

1. has the purpose, effect or likely effect of substantially lessening competition, and
2. in all the circumstances, will not result in likely public benefit which would outweigh the likely public detriment.

My name is Enrique Monserrat and I would like to introduce you to my business.

Blackwood Dyno Tune and Service is an independent, local, family owned and operated business that has been looking after the people in Blackwood and the surrounding suburbs for over 27 years. At present, we employ 11 people.

Our team are passionate about all things automotive and pride ourselves on the level of attention we give to our customers. Blackwood Dyno Tune & Service provide a full range of expert car servicing and repairs and our technicians look after our customers cars with top level care, skill and professionalism.

We only use quality parts and when servicing our customers vehicles we always use oils and oil filters that meet or exceed manufacturers standards.

In our experience, car owners are already confused about warranty and choice. Dealers are generally fuelling this misconception that if you go to an independent repairer you will void the new car warranty.

This extended warranty effectively sanctions and perpetuates this myth. We constantly have customers telling us that when they purchase a new car they will no longer be able to bring the car to an independent workshop until the end of the warranty period. We have a large number of well-educated and well-informed clients that are all under the impression that a new car means dealer only servicing for the next four to five years. It is not legal to say that using an independent will void the warranty – but if you approve this notification it will be OK to say that you will void the extended warranty if you use an independent repairer. All of the effort we have put into making consumers aware that they do have choice, will be lost because you will be officially approving a deal that removes choice.

Mitsubishi states that there is a public benefit because under the Notified Warranty, cars are serviced with a “high degree of care and skill” beyond the high degree of care and skill ordinarily provided by independent service providers.

This is not true – our services are delivered with pride, care and skill and our customers have protections under consumer guarantees. We provide a warranty on our service and parts. As an independent service provider, we are impartial when it comes to defects diagnosed during servicing and will advise consumers to return their vehicle to the dealership to remedy the defect, for example

1. a customer whose vehicle was outside of its warranty period. Our team made contact with a local dealer and arranged for the engine repair to be performed at no expense to the customer.
2. a customer whose vehicle was having clutch problems while still within its warranty period. The dealer wanted to charge the customer \$500 to diagnose the issue, when it was a known fault. Our team contacted a local dealer and organized for the repair to be performed under warranty. If this customer had not mentioned this to us, they would have unknowingly paid the fee for diagnosis.

We are a trusted advisor to all of our customers and we work very hard to gain that trust and keep it. Nobody should be forced to return to a service provider out of fear of losing their consumer rights – that is not a fair or competitive market and we urge you to revoke this notification.

Yours sincerely

Enrique Monserrat

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