



DISC BRAKES AUSTRALIA

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8th October 2020

Australian Competition & Consumer Commission

Attention Andrew Mahoney

Mitsubishi Motors Australian Limited Exclusive Dealing Notification RN10000433

Dear Sir,

We wish to object to this notification and request that the ACCC revoke this notification because in our opinion this conduct has the purpose, effect or likely effect of substantially lessening competition and in all the circumstances, will not result in likely public benefit which would outweigh the likely public detriment.

Disc Brakes Australia Pty Ltd (DBA) have 50 employees and have been in operation for more than 40 years and are a manufacturer, importer and distributor of disc brake rotors, brake drums and disc pads. We are a market leading brand and service not only the Australian and New Zealand markets but export our products to over 30 countries around the world.

DBA support the right to repair campaign that our industry association the Australian Automotive Aftermarket Association have been leading. Car owners are already confused about warranty and choice and our product categories are usually not covered by such warranties given they are considered wearing parts. The Mitsubishi submission nominates that purchasers will remain able to obtain repairs (as distinct from servicing) from an independent repairer or service centre without it affecting the 10-year warranty.

The reality is that a large proportion of needed repairs are identified at the time of servicing when the vehicle is put up on the hoist and therefore this will result in the dealer doing this work as in many cases the work is needed to ensure the vehicle is roadworthy.

Dealership labour rates and vehicle manufacturer branded parts are in many cases more expensive than the independent repair and service sector. Consumers will therefore pay more for car maintenance as well as surrendering choice in order to achieve what they should already have under Australian Consumer Law.

We firmly believe that the Mitsubishi Exclusive Dealing notification if not revoked by the ACCC will have the effect or likely effect of substantially lessening competition and that the public detriment would outweigh any likely public benefit. We would hope that the ACCC will make a decision on this notification that will allow us to compete on price and quality to supply our products to Mitsubishi vehicle owners without any fear that their actions would result in a loss of their warranty rights.

Yours Sincerely



Gideon Segal

Executive General Manager

