
From: Brenden McKay @ Harden Bearings [REDACTED]
Sent: Thursday, 8 October 2020 11:40 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. [REDACTED] has the purpose, effect or likely effect of substantially lessening competition, and
2. [REDACTED] in all the circumstances, will not result in likely public benefit which would outweigh the likely public detriment.

My name is Brenden McKay and I am a local business owner in Harden-Murrumburrah. We have been employing people in the local area and supporting local businesses in Harden-Murrumburrah for 25 years now. We are a 2nd generation, local, family owned and operated small business, that provides employment to 7 people, including 3 fully qualified Automotive Mechanics.

Whilst Mitsubishi's market share is only 7-8%, and on face value that should not affect the whole aftermarket, but if ACCC does not revoke the notification it is obvious that other new vehicle manufacturers will follow suit. I.e. this action by Mitsubishi represents the "thin end of the wedge".

Other car brands have demonstrated a remarkable ability to replicate each other's offers in the market. Same tactics but with a lack of transparency for consumers.

If the largest car brands have all of the vehicles serviced by 'authorised' dealers, we will see a lessening of competition because the independent repair sector will be excluded.

As an independent automotive repairer operating in a community that has no automotive dealerships present, this notification presents an issue far beyond the automotive repair industry and extends into other sectors of the general economy.

With the nearest dealerships an eighty-kilometer round trip away from our community, this means that consumers would have to travel further than they currently do, in order to maintain their vehicle, potentially exposing themselves to traveling those distances in a vehicle that may be in an unsafe operating condition. That! Or wear the burden of the cost to have their vehicle towed to the nearest dealer in order to maintain their warranty. There would easily be other examples that would exist in other rural/regional communities where consumers would have to travel even greater distances and shoulder even greater costs in order to maintain this requirement.

As a community without any dealerships, this notification also removes the consumers right/choice to “shop local” and support business’ that support them and the fabric of their communities (local community/sporting groups etc.), forcing them to neighboring towns to have their vehicle serviced in order to maintain a “warranty” that in some ways is already afforded to them currently under the provisions of the ACL.

This has the potential to further undermine in some instances already fragile and struggling rural/regional economies. As consumers, in order to maintain some level of productivity and efficiency, as most of their day would be interrupted due to the inconvenience of having to travel to the neighboring town to have their vehicle maintained. Would seek the provision of other services (groceries, general retail, hairdressers etc.) that they would currently have fulfilled within the community that they usually reside in. Therefore, extending the problem beyond the automotive repair sector and into parts of the wider economy. Affecting Jobs and employment opportunities and contributing to further decline in many rural/regional communities and there economies.

I hope that the ACCC looks favorably upon revoking this notification

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Regards

Brenden McKay

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