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**From:** Maryborough Service <maryboroughservice@bigpond.com>  
**Sent:** Thursday, 8 October 2020 6:28 PM  
**To:** Adjudication  
**Subject:** Objection to the Notification

**Categories:** Submission

## Mitsubishi Motors Australian Limited (MMAL) Exclusive Dealing Notification RN10000433.

### Interested Party Response – Objection to the Notification

Email: [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au)

We 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.

Maryborough Service Centre commenced operation in January, 2009 with just 3 employees

Today, this family run business boasts 14 full time employees

Here at Maryborough Service Centre we service all vehicle makes and models and pride ourselves on complete customer satisfaction at all times

- Issue # 1 - Mitsubishi 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.
- 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.

If consumers don't have any choice or think that they don't - these car brands will have a monopoly. Vehicle manufacturers could raise prices for parts and repairs for a sustained period, produce lower quality products with no corresponding reduction in price, fail to offer any product variety and lower customer service standards.

- Issue # 2 - Mitsubishi states that this will be result in cost savings. This is not true.
- The consumer already has the right to purchase a vehicle free of defects. They should not have to surrender anything for that right.

Dealership servicing and branded parts are more expensive than the independent repair sector. Consumer will therefore pay more for car maintenance and surrender choice in order to achieve what they should already have under the Australian Consumer Law.

- Issue # 3 - If Mitsubishi is genuinely concerned about the public benefit of ensuring a "high degree of care and skill" in servicing, it would have taken steps to ensure independent service providers had access to repair and servicing data and information.
- Mitsubishi did not comply with the Voluntary Heads of Agreement to share vehicle related service data with the car owners' repairer of choice. This claim regarding care and skill seems insincere and disingenuous

Dealers use repair and service to contribute over 70% to the profit of the dealership. Capturing consumers for 10 years is likely to be driven by a commercial motive.

Should you wish to discuss further, we can be contacted on the numbers below

Kind regards

Daryn & Petrina Brims

Directors

Maryborough Service Centre

***Your safety and wellbeing is our top priority....***

Daryn, Petrina and Dana Brims

**Maryborough Service Centre (Est 2008); ABN: 14 134 227 731**

**Repco Authorised Service – "Customer Service Award" – May, 2017; Repco Authorised Service - "National Dealer of the Year" – 2012;**

**Repco Authorised Service - "National Dealer of the Year" - 2009**

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Trust, Experience & Knowledge.

