

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

## Interested Party Response – Objection to the Notification

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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.

Twin Cities Automotive is a small family run business in North Queensland. We have 5 employees including 2 of my sons, who will carry the business into the future.

I started this business in 1990 and have been affirm believer in customer choice when it comes to vehicle servicing. It's been a long hard battle because of the lies and misconceptions of the mighty dealers over the years.

The dealers are the ones that sell the vehicles, so the customer is theirs to look after and service. If their customer was being treated well, they would have no reason to seek an independent repairer. But at the end of the day, the customer should have a choice of where they take their vehicle for service and repair.

I have found that the customer is already confused over the difference between warranty and extended warranty as the law is currently. By complicating this more will indeed be open to more confusion and false representation from the dealers. It will be almost like blackmail to force the consumer back to the dealer just to keep their warranty.

I think what you have to look at here is what is the benefit to the consumer for this change. I am sure that most independent repairers service and repair vehicles to a high degree of care and skill that in many cases have a better relationship with the customer. Independent repairers are impartial when it comes to defects diagnosed during servicing and will advise consumers to return their vehicle to the dealers to have the defect repaired. I have had customers that have paid for items that would be clearly covered under warranty just so they didn't have to go through the dealer system.

Mitsubishi hasn't been forthcoming in setting up a portal for independent repairers as have other manufactures in Australia, so this details to me that this claim regarding care and skill seems insincere and disingenuous. This doesn't encourage trust within the industry.

The consumer should have choice, and this is detrimental to the consumers choice to be locked in for 10 years. The dealer has first bite of the cherry in gaining the consumers trust and loyalty, so they should not be put into a position where they feel trapped in just getting their vehicle serviced.

If this is allowed for one manufacture, then the rest will follow and decimate the independent Repairers in this country. It is already hard for independent repairs to debunk the misinformation that is pushed by the dealers to the consumers in our daily struggle to keep the doors open of our small businesses.

Rob Fairbanks

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