



Our ref: N10000505
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Brett Bolton
Partner
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By email: b.bolton@hopgoodganim.com.au
CC: l.stankovic@hopgoodganim.com.au

Dear Mr Bolton

Exclusive dealing notification N10000505 lodged by Caravan Trade & Industries Association Queensland (CTIAQ)

I refer to the above exclusive dealing notification, given to the Australian Competition and Consumer Commission (**ACCC**) under section 93(1) of the *Competition and Consumer Act 2010 (Act)* on 3 October 2019, relating to CTIAQ's proposal to offer discounted exhibition fees to those of its members who participate exclusively in CTIAQ owned and operated events (**Proposed Conduct**).

As you would be aware, under section 93(3) of the Act, the ACCC can only remove the protection from legal action provided by a notification if it is satisfied that the notified conduct:

- has the purpose, effect or likely effect of substantially lessening competition, and
- in all the circumstances, will not result in any likely public benefit(s) which would outweigh any likely public detriment(s).

In satisfying itself for the purposes of section 93(3) of the Act, the ACCC seeks from CTIAQ the information and documents set out in the Attachment to this letter.

The ACCC requests that CTIAQ provide its response by **Friday, 1 November 2019**.

Please indicate whether you seek to exclude any of the information and documents in the response from the public register and, if so, please identify the information you are seeking to exclude and provide reasons for your request.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please contact Hannah Ransom on (02) 6243 1255.

Yours sincerely

David Hatfield
Director
Adjudication Branch

Attachment – ACCC request for information

18 October 2019

1. Provide details of the trade shows and events run by CTIAQ to which the notified conduct is proposed to apply. Provide the following data covering the previous 3 calendar years (for each location):
 - a. the frequency of trade shows
 - b. the number of attendees
 - c. the approximate turnover of each event from sales of caravans and motor homes, and other product categories and
 - d. the prices for exhibitors and prices for entry.
2. Provide details of other caravanning and motor home trade shows run in Queensland by competitors of CTIAQ over the last three calendar years including (to the extent CTIAQ is aware):
 - a. the location and frequency of these shows
 - b. the number of attendees and
 - c. the prices for exhibitors and prices for entry.
3. Clarify whether the exclusivity requirement is limited to events in South East Queensland only or if members must not participate in non-CTIAQ events elsewhere in Queensland or Australia in order to be eligible for the discount.
4. Indicate the extent of the discount CTIAQ proposes to offer to members who participate in the offer, how it is to be calculated and the conditions under which it is proposed to be granted.
5. Does CTIAQ currently set different prices to exhibit at its events for members versus non-members?
6. Provide the number of members of CTIAQ and an estimate of the proportion of the Queensland caravanning industry that are currently members of CTIAQ.
7. Can you please explain how the exclusivity requirement under the Proposed Conduct is likely to result in each of the public benefits listed at 5(a) of the notification. Included in your response, please provide the total revenue from CTIAQ's trade events for the last three calendar years, and the amount from this revenue that was allocated to fund CTIAQ's safety check program for the same period.
8. Provide, in relation to the caravanning industry more generally:
 - a) any information regarding how far exhibition attendees travel in order to attend exhibitions
 - b) an overview of the caravan and motorhome supply chain
 - c) total caravan and motor home sales in Queensland and nationally and the number of caravan and motor home sales made at events
 - d) the total value of caravan and motor sales in Queensland and nationally and the value of caravan and motor home sales made at events
 - e) information related to what is involved in running caravan and motorhome trade exhibitions, including costs.

9. Provide any documents prepared for CTIAQ's Senior Managers¹ which discuss the need to introduce the proposed exclusive dealing conduct.
10. Provide any documents that are referred to in, or that constitute a response to, questions 1 to 8 above.

¹ **Senior Manager** has the same meaning as in section 9 of the Corporations Act 2001.