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18/10/2019

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By email

Dear Sir or Madam

**N10000505 – Caravan Trade & Industries Association Queensland – Exclusive dealing notification – interested party consultation**

The Australian Competition and Consumer Commission (the ACCC) is currently seeking comments on an exclusive dealing notification received from Caravan Trade & Industries Association Queensland (CTIAQ) on 3 October 2019.

The purpose of this letter is to invite you, as a potentially interested party, to comment on the proposed arrangement.

Broadly, exclusive dealing occurs when one person trading with another restricts the other's freedom to choose with whom, in what or where it deals. Exclusive dealing arrangements breach the *Competition and Consumer Act 2010 (the Act)* if the restriction is likely to have the purpose, effect or likely effect of substantially lessening competition. By lodging a notification with the ACCC, businesses obtain protection from legal action for exclusive dealing conduct. This protection commences immediately, and remains unless or until the ACCC revokes that protection.

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).

Please see the ACCC's publication [Exclusive Dealing Notification Guidelines](#) for further information about the notification process and how to make a submission to the ACCC.

**Details of CTIAQ's proposed arrangement**

CTIAQ intends to establish a loyalty program in relation to CTIAQ owned and operated trade shows and events for the sale by exhibitors to the general public of caravans and motor homes. Specifically, CTIAQ intends to offer a discounted exhibition fee to those of its members who participate exclusively in CTIAQ events. Members who participate in events operated by alternative suppliers will not be eligible to receive the discount (the **Proposed Conduct**).

CTIAQ intends to commence the loyalty program on 1 January 2020.

A copy of the notification is attached to this email. Updates on this matter as it progresses will be available on the ACCC's [Notifications Public Register](#).

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## Request for submissions

The ACCC invites you to make a submission on whether CTIAQ's Proposed Conduct:

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

If you intend to provide a submission in relation to the notification please do so by **Friday, 1 November 2019**. Submissions should be emailed to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) with the subject "N10000505 – Caravan Trades & Industry Association Queensland – submission".

Submissions will be placed on the ACCC's public register subject to any request for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

## Timetable

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information

Indicative date	Stage in assessment process
3 October 2019	Lodgement of notification and supporting submission
18 October 2019	Public consultation process begins.
1 November 2019	Closing date for submissions from interested parties.
November	Applicant responds to issues raised in the public consultation process.
December 2019	ACCC decision

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the assessment. If you are able to, please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the arrangements.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Hannah Ransom on (02) 6243 1255 or [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au).

Yours sincerely



David Hatfield  
Director  
Adjudication

## **Interested parties consulted**

Australian Events

Caravan Industry Association of Australia

Exhibitions and Trade Fairs Pty Ltd

Queensland Department of Innovation and Tourism Industry Development

Queensland Tourism Industry Council

CTIAQ members