

Notification of Exclusive Dealing

Date 10 December 2021

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Parties to the proposed conduct

1. Provide details of the applicants for authorisation, including:

1.1 name, address (registered office), telephone number and ACN

Name and ACN	REDARC Electronics Pty Ltd ACN 009 971 794 as trustee for the REDARC Trust (REDARC)
Address (registered office)	23 Brodie Road North, Lonsdale South Australia 5160
Telephone number	+61 8 8322 4848

1.2 contact person's name, position, telephone number and email address

Contact	Andrew Rankin Partner Piper Alderman Telephone number: [REDACTED] Email address: [REDACTED]
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1.3 a description of business activities

REDARC is an Australian electronics manufacturer, servicing both domestic and international markets. REDARC is an Australian owned and operated business employing over 270 people.

REDARC manufactures a range of electronic products including voltage converters, inverters, power supplies, battery chargers, timer relays, LED lighting control systems and trailer braking solutions (**REDARC Products**).

REDARC Products are sold in a wide variety of markets including heavy trucking industry, automotive aftermarket, industrial, agricultural, emergency services, mining, communications and defence. Customers in these markets include automotive electrical wholesalers, communications equipment manufacturers, metropolitan and rural fire services, agricultural machinery manufacturers, boat builders and special vehicle manufacturers.

REDARC Products can be installed at manufacturing (OEM) stage or retrofitted or installed in aftermarket applications.

REDARC Products are sold through a network of authorised distributors and direct to consumer. REDARC's largest avenue to market is via major auto electrical wholesalers, who distribute REDARC Products to auto electrical and trade customers across Australia. The trade customers then advise on, sell, and install relevant REDARC Products for the end customers. These products are generally of a sophisticated technical nature and generally require a high level of technical knowledge and expertise to install them for the end user.

1.4 email address for service of documents in Australia

Email address	
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Details of the notified conduct

2. Indicate whether the notified conduct is for:

2.1 exclusive dealing (s. 47 of the Competition and Consumer Act 2010 (Cth) (the Act)

Notice is hereby given, in accordance with section 93(1) of the Act, of particulars of conduct of a kind referred to in sections 47(2) and 47(3) of the Act in which the notifying party engages.

2.2 resale price maintenance (s. 48)

No.

2.3 collective bargaining (s. 93AB). If the notified conduct is for collective bargaining, whether the notified conduct includes a collective boycott

No.

3. Provide details of the notified conduct including:

3.1 a description of the notified conduct

Distribution Arrangements

A network of authorised distributors (**Distributors**) sell REDARC Products to resellers and retail customers. Distributors are contracted under a channel distribution agreement (**Channel Distribution Agreement**) setting out their obligations in the distribution of REDARC Products, including the specific territory(ies) (**Nominated Territory**) and market channel(s) (**Market Channel**) in which the Distributor is permitted to sell the REDARC Products and the excluded market channel(s) (**Excluded Market Channel**) in which the Distributor is not permitted to sell the REDARC Products.

Nominated Territory, Market Channel and Excluded Market Channel

Nominated Territory is defined to be Australia and New Zealand under the Channel Distribution Agreement. There is no intention by REDARC that a current or future Distributor would be subject to a narrower Nominated Territory. As explained below, the purpose for providing a Nominated Territory is due to differing regulatory requirements for REDARC Products in different jurisdictions.

Market Channel is defined under the Channel Distribution Agreement as the markets that the Distributor is authorised by REDARC to sell and distribute the REDARC Products which may include one or more of: Trade – Supply and Fit, OEMs, National Accounts, National Retailers, Online Retailer and Online Re-Seller.

Excluded Market Channel is defined under the Channel Distribution Agreement as markets which the Distributor is excluded from selling and distributing the REDARC Products and

which, for the avoidance of doubt, is taken in relation to a particular Distributor to be each market not specified as a Market Channel for that Distributor.

Arrangements with Distributors

Each current Distributor is presently subject to largely the same market channel restrictions. The main concern of REDARC in relation to Excluded Market Channels relates to ensuring that appropriate aftermarket support and customer service is available, among other concerns as noted below. Therefore, there is no intention to favour one Distributor over another or to be able to exploit a particular Market Channel. Each of these arrangements are set out in the applicable Channel Distribution Agreement with each Distributor.

These arrangements have been in place since around 2018, prior to that date, there were individual agreements with Distributors addressing the specific requirements of each Distributor. To ensure a consistent and more efficient approach, REDARC moved to implement the Channel Distribution Agreement.

Any existing or new Distributor is able to approach REDARC to request expansion of the Market Channels to include an Excluded Market Channel. For existing Distributors this can be discussed during the formal quarterly business review or during negotiations for renewing the Channel Distribution Agreement. The main determinant for whether this would be agreed by REDARC will be REDARC's determination as to whether the expansion results in broader coverage to assist customers of REDARC Products to obtain better service and support.

Notified Conduct

The notified conduct is the conduct set out at clause 1.4(a) of the Channel Distribution Agreement which provides that the distribution arrangement between REDARC and Distributors is conditional on Distributors not advertising, promoting, distributing or selling REDARC Products:

- outside the Nominated Territory and/or Market Channel (including via an Excluded Market Channel); or
- inside the Nominated Territory and/or Market Channel when the Distributor knows or has reason to believe that the Products may be resold or transferred out of the Nominated Territory or outside of the Market Channel (including via an Excluded Market Channel).

3.2 any relevant documents detailing the terms of the notified conduct

Please refer to a copy of the standard form Channel Distribution Agreement set out in Schedule 3.

3.3 the rationale for the notified conduct

REDARC Products are advanced electronic products used for highly specialised and specific purposes. For example, certain REDARC Products require installation by a qualified automotive electrician, such as the following REDARC Products used for safety critical applications:

- Tow-Pro Elite V3 Electric Brake Controller (<https://www.redarc.com.au/electric-trailer-brake-controller>)

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4.

- REDARC Roll Over Sensor (<https://www.redarc.com.au/roll-over-sensor>)
- REDARC Battery Master Isolation Switch – 4PP (<https://www.redarc.com.au/battery-master-isolation-switch-4pp>)

Other REDARC Products require specific interaction with vehicle systems and terminals which require technical level skills to install and operate.

REDARC Products are also designed and manufactured in accordance with specific regulations and standards which apply in the jurisdictions in which they are sold. It is therefore important that REDARC Products are only sold in the jurisdictions for which they have been manufactured to ensure they are compliant with the relevant local regulations and standards.

REDARC Products are also highly rated in the marketplace and there is a high level of trust in the REDARC brand and the quality of REDARC Products by customers. REDARC incurs considerable expense in developing and promoting its brand and REDARC Products. Around 15% of its revenue is invested back into research and development activities to continually innovate its product lines. As a result, REDARC has gained a substantial reputation as a leading provider of premium power conversion and other electronic goods throughout Australia, including within the recreational, heavy vehicle and marine markets. A selection of recent industry awards and recognitions include:

- 2020
 - Winner of the Global Supply Chain Integration of the Year award at the Manufacturers Monthly 2020 Endeavour Awards (<https://www.manmonthly.com.au/news/best-australian-manufacturers-honoured-2020-endeavour-awards-winners/>)
 - Winner of the Manufacturer of the Year award at the Manufacturers Monthly 2020 Endeavour Awards (<https://www.manmonthly.com.au/news/best-australian-manufacturers-honoured-2020-endeavour-awards-winners/>)
- 2019
 - Winner of the 2019 Defence Teaming Centre Teaming Award for the REDARC Thermal Enhancement Kit (<https://www.australiandefence.com.au/events/awards/dtc-awards-recognise-leading-companies>)
 - Winner of the 2019 Caravan Industry Association of Australia's Gerry Ryan OAM Award for Innovation (<https://www.caravanconference.com.au/gerry-ryan-oam-award-for-innovation/>)
 - REDARC's RedVision Total Vehicle Management System awarded Australian Industrial Product of the Year at the Manufacturers Monthly 2019 Endeavour Awards (<https://www.manmonthly.com.au/news/endeavour-awards-2019-winners-announced/>)
 - Winner of Excellence in Manufacturing (Gold), Excellence in Export (Bronze) and Most Innovative New Aftermarket Product (4WD) awards at the 2019 Australian Auto Aftermarket Excellence Awards

- [\(https://www.aaaa.com.au/news/2019-australian-auto-aftermarket-excellence-awards/\)](https://www.aaaa.com.au/news/2019-australian-auto-aftermarket-excellence-awards/)
- Winner of the Business SA 2019 Export I Age Media Emerging Exporter Award (<https://www.business-sa.com/LiveMenu/Training-Events/Business-SA-2019-Export-Awards>)
- 2018
 - Winner of the Exporter of the Year award at the Manufacturers Monthly 2018 Endeavour Awards (<https://www.manmonthly.com.au/news/congratulations-winners-endeavour-awards-2018/>)
 - REDARC's RedVision Total Vehicle Management System awarded a 2018 Good Design Australia award for innovation in the Product Sport and Lifestyle category (<https://good-design.org/projects/redvision/>)
 - REDARC approved as an Accredited Supplier to the Australian Caravan and Camping Industry (<https://www.caravanindustry.com.au/industry-supplier/accredited-suppliers>)
 - Winner of the 2019 Defence Teaming Centre Resilient & Adaptive Award (<https://dctc.org.au/member-awards/>)
 - Winner of the Business SA 2018 University of South Australia Design for Export – Design Strategy Award (<https://www.business-sa.com/Commercial-Content/Media-Centre/Latest-Media-Releases/business-sa-2018-export-award-winners>)
 - 2017
 - Winner of the Global Supply Chain Integration of the Year Award at the Manufacturers Monthly 2017 Endeavour Awards (<https://www.manmonthly.com.au/winners-endeavour-awards-2017>)
 - Winner of the Most Innovative Manufacturing Company award at the Manufacturers Monthly 2017 Endeavour Awards (<https://www.manmonthly.com.au/winners-endeavour-awards-2017>)
 - Winner of the Manufacturer of the Year award at the Manufacturers Monthly 2017 Endeavour Awards (<https://www.manmonthly.com.au/winners-endeavour-awards-2017>)
 - REDARC named in Westpac's 2017 Top 20 Businesses of Tomorrow (<https://businessesoftomorrow.com.au/winners/winners-2017>)
 - Winner of the Excellence in Manufacturing (Over \$10 million annual turnover) (Gold) award at the 2017 Australian Auto Aftermarket Excellence Awards (<https://www.aaaa.com.au/news/2017-australian-auto-aftermarket-excellence-award-winners/>)
 - Winner of the Speciality Equipment Market Association 2017 Global Media Awards for its Tow-Pro Elite Electric Trailer Brake Controller

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<https://www.sema.org/news-media/magazine/2017/05/2017-global-media-awards>)

- 2016
 - Winner of the Caravan and Camping Industries Association of South Australia 2016 Innovation Award (<https://www.caravanindustry.com.au/expanding-our-horizons/redarc>)
- 2015
 - Winner of the Excellence in Manufacturing (Over \$10 million annual turnover) (Gold) award at the 2015 Australian Auto Aftermarket Excellence Awards (<https://www.aftermarketawards.com.au/past-winners/>)
 - Winner of the 2015 Technology Industry Association Achievement Award for Excellence in Innovation (<https://vasa.org.au/more-awards-for-redarc/>)

Given the specialised and technical nature of the REDARC Products and to maintain REDARC's reputation in the marketplace, REDARC carefully selects its Distributors based on their technical expertise and knowledge of electronic products and the relevant marketplace as well as their ability to provide ongoing support and assistance to customers of the REDARC Products.

REDARC considers it critically important that it is represented by Distributors who have appropriate training and the technical expertise to ensure customers are serviced properly. Because of the technical nature of REDARC Products, REDARC wishes to see its network of Distributors and retailers maintain systems and processes which:

- demonstrate technical expertise and qualifications to end-user customers, including in relation to product installation and the ability to comply with REDARC's product instructions, including instructions concerning installation, configuring, connecting, commissioning, use and application of its products;
- demonstrate depth of service capability;
- maintain product safety;
- maintain supply chain integrity, including handling and storage of sensitive electrical components; and
- protect against unlawful use and infringement of REDARC's intellectual property.

For example, REDARC has seen at least one instance of correspondence showing one unauthorised third party reseller [**Restriction of Publication of Part Claimed**] directing a customer to simply contact REDARC technical support for assistance in the event of any issues with REDARC products.

Furthermore, REDARC takes very seriously its product safety and customer experience. In the past, REDARC has experienced issues with tampering of its products by resellers which compromises the quality, integrity and safety of REDARC Products for which REDARC is renowned for.

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For example, in around May 2020, REDARC became aware of a business from [Restriction of Publication of Part Claimed] which had tampered with REDARC Products and accompanying packaging by removing serial numbers and/or substituting them with false identification numbers and incorrect part numbers. The offending business then sold the tampered products to customers through its online eBay account: [Restriction of Publication of Part Claimed]. The fabricated serial numbers were illegitimate serial numbers and had no correlation with REDARC's records.

The incorrect part numbers gave an impression to customers that they were purchasing a certain (functionally superior) model product, when in fact, the product purchased was a different model. The original serial number allows REDARC to track REDARC Products for quality control, product updates, as well as to implement any necessary product recalls. These actions of removing and substituting REDARC's original serial numbers and other identifying marks removes, or at best severely impedes, REDARC's ability to trace REDARC Products.

The proper identification of REDARC Products is a legitimate concern of REDARC and supported by its commercial experience in the context of REDARC having previously conducted a recall of its Tow-Pro Electric Trailer Brake Controller product in January 2019 (PRA No. 2019/17292 Campaign number RS10014).

The restriction of territory and market channels through which Distributors are able to distribute REDARC Products is therefore necessary to ensure they are not distributed to resellers who may compromise the safety and integrity of REDARC Products.

3.4 any time period relevant to the notified conduct

While the term of the Channel Distribution Agreement with Distributors is usually two (2) years, it is intended that the notification protection is to cover the ongoing engagement in the notified conduct with respect to REDARC's ongoing commercial dealings with current and potential Distributors using a clause in the same or substantially same terms as set out in clause 1.4 of the Channel Distribution Agreement (set out above, to achieve the notified conduct).

In other words, the period of protection afforded under the notification is not intended to be time limited (or if it is to be time limited, limited to the period in which REDARC supplies the REDARC Products through Distributors).

4. Provide documents submitted to the notifying party's board or prepared by or for the notifying party's senior management for purposes of assessing or making a decision in relation to the notified conduct and any minutes or record of the decision made.

Please refer to a copy confirmation of unanimous resolution of the REDARC Advisory Board as set out in Schedule 2.

5. Provide the names and/or a description of the persons or classes of persons who may be directly impacted by the notified conduct (including targets in collective bargaining or boycott conduct) and detail how or why they might be impacted.

It is understood by REDARC that the classes of person most likely to be directly impacted by the exclusive dealing arrangements will be Distributors (either current or potential) of REDARC Products as well as resellers sourcing REDARC Products from Distributors (who may be prevented from doing so under the notified conduct).

Please refer to Schedule 1 which sets out a list of REDARC's current Distributors.

REDARC believes that there may be some parties who sell REDARC Products in online marketplaces who may be impacted insofar as they have previously sought to become distributors for REDARC through that market channel. REDARC has declined those approaches in some cases for reasons which include the product safety and supply chain integrity issues noted above.

Market information and concentration

- 6. Describe the products and/or services, and the geographic areas, supplied by the notifying parties. Identify all products and services in which two or more parties to the notified conduct overlap (compete with each other) or have a vertical relationship (e.g. supplier-customer).**

Products

The REDARC Products include a range of electronic products including voltage converters, inverters, power supplies, battery chargers, timer relays, LED lighting control systems and trailer braking solutions.

Geographic areas supplied

- Australia-wide
- New Zealand
- United States of America
- Europe

Relevant products

All REDARC Products are subject to a vertical relationship between REDARC and its Distributors.

- 7. Describe the relevant industry or industries. Where relevant, describe the sales process, the supply chains of any products or services involved, and the manufacturing process.**

The industry in which REDARC supplies the REDARC Products may be described as the advanced electronics products industry for the Australian Aftermarket, Original Equipment Manufacturers (OEM), Car and Bus Manufacturers, Caravan, Recreational Vehicle (RV) and Camper Trailer Industry, Mining, Industrial and Defence markets.

The REDARC Products are manufactured by REDARC and sold through a network of Distributors and direct to consumer. Customers in these markets include automotive electrical wholesalers, communications equipment manufacturers, metropolitan and rural fire services, agricultural machinery manufacturers, boat builders and special vehicle manufacturers.

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8. In respect of the overlapping products and/or services identified, provide estimated market shares for each of the parties where readily available.

REDARC estimates its market share to be approximately [Restriction of Publication of Part Claimed] across its entire product portfolio.

Other manufacturers of similar electronics products in the market include:

Name	Website	Estimated market share
Enerdrive Pty Ltd ACN 131 723 585	https://enerdrive.com.au/	[Restriction of Publication of Part Claimed]
Victron Energy B.V. ARBN 122 341 119	https://www.victronenergy.com.au/	[Restriction of Publication of Part Claimed]
CTEK Holding AB	https://www.ctek.com/au/	[Restriction of Publication of Part Claimed]
Intervolt Pty Ltd ACN 085 788 941	http://www.intervolt.com/	[Restriction of Publication of Part Claimed]
Great South Land Pty. Limited ACN 053 250 472 trading as GSL Electronics	http://www.gsl.com.au/	[Restriction of Publication of Part Claimed]
Automotive Imports Proprietary Limited ACN 005 378 727 trading as HULK 4x4	https://hulk4x4.com.au/	[Restriction of Publication of Part Claimed]
Baxters Pty Ltd ACN 005 204 044	https://www.baxters.com.au/	[Restriction of Publication of Part Claimed]
GPC Asia Pacific Pty Ltd ACN 097 993 283	https://www.thunderauto.com.au/	[Restriction of Publication of Part Claimed]
Brown & Watson International Pty. Limited ACN 004 250 748	https://www.projecta.com.au/	[Restriction of Publication of Part Claimed]
Outdoor Supacentre Pty Ltd ACN 609 212 624	https://au.adventurekings.com/	[Restriction of Publication of Part Claimed]

Name	Website	Estimated market share
iTech World Pty Ltd ACN 121 044 773	https://itechworld.com.au/	[Restriction of Publication of Part Claimed]
Horizon Global Corporation	https://www.tekonsha.com/	[Restriction of Publication of Part Claimed]

Note: It is difficult to estimate the market share of other businesses given those businesses also supply many other products across different markets which REDARC does not manufacture or otherwise compete in. Therefore, an upper limit estimate (to the nearest 5%) has been provided.

9. In assessing a notification, the ACCC takes into account competition faced by the parties to the proposed conduct. Describe the factors that would limit or prevent any ability for the parties involved to raise prices, reduce quality or choice, reduce innovation, or coordinate rather than compete vigorously. For example, describe:

The Australian aftermarket industry is a mature industry with many manufacturers, both domestically and internationally supplying the Australian market.

9.1 existing competitors

Current manufacturers of electronics products the same as or similar to the REDARC Products include those listed under section 8 above.

9.2 likely entry by new competitors

Notwithstanding the mature nature of the Australian aftermarket industry, there have been new market opportunities emerging due to the growth in sport utility vehicles (SUV) sales. There has also been growth in the market due to increased domestic travel which has stimulated competition and encouraged new entrants into the market.

The large number of manufacturers in the market and the relatively low barriers to entry (such as low set up costs) means the industry is highly competitive. Given the emerging opportunities, REDARC has seen many new low cost entrants in the market including the sale of rebadged electronic products from South East Asia and China.

9.3 any countervailing power of customers and/or suppliers

The end customer distribution market is characterised by a number of large distributors and many smaller independent retailers. The following six distributors, which include non-REDARC distributors, have the highest revenues in Australia. REDARC estimates that together, they have approximately [Restriction of Publication of Part Claimed] market share.

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Distributor	Revenue ('000)
ARB Corporation Limited ACN 006 708 756	[Restriction of Publication of Part Claimed]
Bapcor Limited ACN 153 199 912	[Restriction of Publication of Part Claimed]
GPC Asia Pacific Pty Ltd ACN 097 993 283	[Restriction of Publication of Part Claimed]
Automotive Imports Proprietary Limited ACN 005 378 727 trading as CoolDrive Auto Parts	[Restriction of Publication of Part Claimed]
Super Cheap Auto Pty Ltd ACN 085 395 124	[Restriction of Publication of Part Claimed]
SRG Leisure Retail Pty Ltd 110 667 411 trading as BCF Boating Camping Fishing	[Restriction of Publication of Part Claimed]

Approximately [Restriction of Publication of Part Claimed] of REDARC's sales in the 2021 financial year to date are by Distributors through the aftermarket and Original Equipment Manufacturers (OEM) distribution channels. The remaining [Restriction of Publication of Part Claimed] of REDARC's sales are through either direct supply arrangements with customers or through its own retail channels as follows:

Distribution channel	Percentage
Aftermarket	[Restriction of Publication of Part Claimed]
Original Equipment Manufacturers (OEM)	[Restriction of Publication of Part Claimed]
Export	[Restriction of Publication of Part Claimed]
Mining	[Restriction of Publication of Part Claimed]
Industrial	[Restriction of Publication of Part Claimed]
Defence	[Restriction of Publication of Part Claimed]

Notwithstanding the market opportunities for new competitors, given the small number of large distributors in the market and the large number of manufacturers offering substitutable electronic products, distributors have a large amount of power in the market when negotiating distribution arrangements.

9.4 any other relevant factors

REDARC's current Distributors cover every State and Territory in Australia including retail locations at all major regional and urban centres. End customers have easy access to all REDARC Products and it is in REDARC's interest to ensure that all customers in Australia are able to easily purchase REDARC Products.

To the extent Distributors have restricted Market Channels in their Channel Distribution Agreement initially, they are always able to propose and REDARC will always give due consideration to extending the Channel Distribution Agreement to cover additional Market Channels.

REDARC is not aware of any Distributors having previously complained of the Market Channels in their Channel Distribution Agreement being too restrictive or resulting in Distributors being unable to effectively sell REDARC Products to customers.

Public benefit

10. Describe the benefits to the public that are likely to result from the notified conduct. Provide information, data, documents or other evidence relevant to the ACCC's assessment of the public benefits.

There are significant benefits associated with the notified conduct.

Benefits for Distributors

REDARC takes its selection of Distributors very seriously and the notified conduct encourages REDARC to continue to support its Distributors through various investment and support, including:

- REDARC attending Distributors' trade shows;
- REDARC providing sponsorships to Distributors;
- REDARC providing Distributors support through specific guidelines and product training; and
- REDARC providing technical, promotional and other information to Distributors relating to the REDARC Products.

The notified conduct would ensure that Distributors can also be confident that the quality and reputation of the REDARC Products will be maintained given they can only be sourced through authorised distribution channels.

Benefits for customers

The notified conduct has a number of benefits for customers, including:

- being able to receive technical information and support in relation to REDARC Products from trained personnel of Distributors;
- being confident in the assistance and information received from authorised Distributors; and

- being confident in the purchase of authentic and genuine REDARC Products from authorised Distributors.

Other benefits

The notified conduct allows REDARC to effectively and properly track and trace REDARC Products. This is particularly important for ensuring quality control, product updates, as well as to implement any necessary product recalls.

In the event REDARC Products are distributed in unauthorised Territories or through Market Channels, REDARC loses visibility of those products. In those circumstances REDARC cannot be sure that those products are being sold in accordance with REDARC's guidelines or by individuals who have had the necessary training or qualifications to appropriately address customers' questions or needs.

Public detriment (including likely competitive effects)

- 11. Describe any detriments to the public that are likely to result from the notified conduct, including those likely to result from any lessening of competition. Provide information, data, documents, or other evidence relevant to the ACCC's assessment of the detriments.**

REDARC considers the notified conduct will not result in any public detriments on the basis that:

- there is a wide availability of similar electronic products to that of REDARC Products for purchase by resellers to sell in the restricted Market Channels;
- there is a wide availability of similar electronic products to that of REDARC Products for purchase by customers through restricted Market Channels;
- the REDARC Products are readily available to customers through authorised Market Channels and REDARC considers that customers are able to easily procure the REDARC Products from such channels;
- Distributors are under no obligation to sign up to REDARC's Channel Distribution Agreement and are free to agree to distribution arrangements with other electronics manufacturers of which there are many; and
- Market Channel restrictions are becoming common to the industry and are being employed by other electronics manufacturers in their distribution arrangements.

Contact details of relevant market participants

- 12. Identify and/or provide names and, where possible, contact details (phone number and email address) for likely interested parties, such as actual or potential competitors, customers and suppliers, trade or industry associations and regulators.**

Contact details of likely interested parties are REDARC's current Distributors and other potential distributors and retailers in the marketplace as set out in Schedule 4.

REDARC does not consider that other manufacturers would likely be interested parties given they are not affected by the notified conduct.

Additional information

- 13. Provide any other information you consider relevant to the ACCC's assessment of the notified conduct.**

REDARC has no further submissions to make in respect of this notification.

Declaration by notifying party

The undersigned declare that, to the best of their knowledge and belief, the information given in response to questions in this form is true, correct and complete, that complete copies of documents required by this form have been supplied, that all estimates are identified as such and are their best estimates of the underlying facts, and that all the opinions expressed are sincere.

The undersigned are aware that giving false or misleading information is a serious offence and are aware of the provisions of sections 137.1 and 149.1 of the *Criminal Code* (Cth).



.....
Signature of authorised person

MANAGING DIRECTOR

.....
Office held

ANTHONY SHANE KITTEL

.....
(Print) Name of authorised person

This *10TH* day of *December* 2021

Schedule 1 – List of Distributors

Name and ACN	Address (registered office) and Telephone number	Description
ARB Corporation Limited ACN 006 708 756	Address: 42-44 Garden St Kilsyth VIC 3137 Telephone: 1300 272 494	One of Australia's leading 4x4 accessory manufacturers and dealers.
Bapcor Limited ACN 153 199 912	Address: 61 Gower Street Preston VIC 3072 Telephone: +61 3 8470 7300	<p>Asia Pacific's leading provider of vehicle parts, accessories, equipment, service and solutions supplying the automotive aftermarket.</p> <p>Bapcor's trade businesses include Burson Auto Parts, Precision Automotive Equipment and BNT.</p> <p>Bapcor's specialist wholesale businesses include AAD, Bearing Wholesalers, Baxters, MTQ, Roadsafe, JAS Oceania, HCB, Diesel Distributors, Federal Batteries, Premier Auto Trade, AADi.</p> <p>Bapcor's retail and service businesses include Autobarn, Autopro, Sprint Auto Parts, Opposite Lock and Car Parts, and Service businesses Midas, ABS, Shock Shop and Battery Town.</p>
GPC Asia Pacific Pty Ltd ACN 097 993 283	Address: 22 Enterprise Drive, Rowville, Victoria, Australia, 3178 Telephone: +61 3 9566 5444	Australia and New Zealand's largest distributor of automotive electrical and thermal control parts to the independent automotive aftermarket, including through its Repco business.
Automotive Imports Proprietary Limited ACN 005 378 727 trading as CodDrive Auto Parts	Address: 22-28 Lexton Rd Box Hill VIC 3128 Telephone: +61 3 9896 7333	CodDrive Auto Parts is a 100% Australian owned family business. Australia's largest family owned importer and wholesaler of automotive aftermarket parts.

Schedule 2 – Advisory Board Resolution

The Advisory Board Resolution is omitted from this public version on the basis that the information contained within the Advisory Board Resolution is commercially sensitive and confidential to REDARC as it concerns REDARC's business, commercial or financial affairs. Disclosure would cause significant damage and harm to REDARC. Accordingly REDARC respectfully requests that such information be maintained as confidential and excluded from the notifications register in accordance with section 95(2) of the Act.

Schedule 3 – Channel Distribution Agreement

The Channel Distribution Agreement is omitted from this public version on the basis that the terms of the Channel Distribution Agreement are commercially sensitive and confidential to REDARC as it concerns REDARC's business, commercial or financial affairs. Disclosure would cause significant damage and harm to REDARC. Accordingly REDARC respectfully requests that the terms of the Channel Distribution Agreement be maintained as confidential and excluded from the notifications register in accordance with section 95(2) of the Act.

Schedule 4 – Contact details of likely interested parties

Name	Email address	Phone number
ARB Corporation Limited ACN 006 708 756	adelaide@arb.com.au	1300 272 494
Bapcor Limited ACN 153 199 912	companysecretary@bapcor.com.au	+61 3 8470 7300
GPC Asia Pacific Pty Ltd ACN 097 993 283	webenquiries@gpcasiapac.com	+61 3 9566 5444
Automotive Imports Proprietary Limited ACN 005 378 727 trading as CodDrive Auto Parts	melbourne@coddrive.com.au	+61 3 9896 7333
Super Cheap Auto Pty Ltd ACN 085 395 124	onlinesales@supercheapauto.com.au	1300 175 010
SRG Leisure Retail Pty Ltd 110 667 411 trading as BCF Boating Camping Fishing	onlinesales@bcf.com.au	1300 880 764
TJM Products Pty. Ltd. ACN 009 887 325	legal.support@tjm.com.au	+61 7 3865 9999
Kogan Australia Pty Ltd ACN 152 570 351	secretary@kogan.com.au	+61 3 6285 8572
Amazon Commercial Services Pty Limited ACN 616 935 623	N/A	1800 571 894