

Department of Treasury
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By email: repairinfo@treasury.gov.au

Attention: Market Conduct Division



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To whom it may concern,

RE: MOTOR VEHICLE SERVICE AND REPAIR INFORMATION SHARING SCHEME - SCHEME RULES

Introduction

We note with interest that Government has released exposure draft rules to support the Motor Vehicle Service and Repair Information Sharing Scheme, and has invited submissions.

GPC Asia Pacific is the largest aftermarket parts supplier in Australia and New Zealand, and an integral participant within the Automotive Aftermarket. Throughout almost 100 years of operational experience, and with a rich history in Australia's automotive and engineering industries, our businesses distribute automotive replacement parts, consumables, and related tools and equipment to more than 36,000 workshops and trade clients (and countless retail customers) via our Australasian network of more than 550 stores, 12 advanced distribution centres and 6200 staff.

Further information concerning GPC Asia Pacific is available at: www.gpcasiapac.com.

We commend the Government for its efforts to promote competition in the Australian automotive service and repair sector via this Scheme, and believe this it will help underpin a future that provides genuine choice for Australian consumers, and fair competition in the automotive service and repair market.

Submissions.

We appreciate the opportunity to provide this submission concerning the Scheme Rules and would like to draw attention to, and seek the Governments consideration of, the following two elements:

1. Definition of 'Connected Systems'

We note the draft rules restrict access to safety and security information to individuals who meet specified access criteria. The rules further state that safety information is related to the high voltage system, hybrid system or electric propulsion system, or "to a system connected to one of those systems". We have concerns that without greater specificity regarding how "system connected to" should be interpreted, there is scope for relevant information being unfairly restricted. For instance, for example, a wheel is 'connected' to an electronic propulsion system, however clearly is not intended to be caught by the safety criteria.

Our submission: Whilst we consider the dispute resolution mechanism under the Act will ultimately provide the opportunity to address misapplication of the "connected systems" concept, we submit that the Rules and accompanying Explanatory Memorandum could be refined to ensure that the "connected system" must have a particular safety risk that is equivalent to the safety risk associated with the high voltage system, hybrid system or electric propulsion system itself.

2. Protecting Safety

We support the principle of restricting safety and security information to individuals who meet prescribed criteria to use the information for the purposes of the scheme. However,

we are concerned about the ambiguous nature of the reference in the Explanatory Memorandum to these restrictions being appropriate and necessary "... *to protect the safety of the vehicle*". We are concerned this language could be misconstrued to relate to matters which could be described as relevant to the *safe operation or performance* of the vehicle, which is not the purpose of the "fit and proper persons test". It is our understanding that the intent of restricted (safety) information is to protect technicians when carrying out certain work on the systems listed above, and restricted security information to ensure the "security" not "safety" of the vehicle.

Our submission: To ensure these principles are properly reflected in the, we submit that references to in the Explanatory Memorandum "... *to protect the safety of the vehicle*" could be replaced with "... *safety of individuals performing work on the vehicle, the public and those using that information*" or similar.

Subject to the comments set out above, we have confidence that the Rules and accompanying Explanatory Memorandum provide a sensible set of guiding principles and a practical reference point to support the introduction of the Scheme and we thank Treasury for inviting submissions.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Cary Laverty', written over a circular stamp or seal.

Cary Laverty

**EGM, Legal and Commercial
GPC Asia Pacific.**