

Our client ref: LXW:GDE:240451
Direct line: +61 2 9263 4206
Email: gedgerton@gtlaw.com.au
Partner: Luke Woodward

LAWYERS

2 Park Street
Sydney NSW 2000
Australia
GPO Box 3810
Sydney NSW 2001
DX 10348 SSE
email@gtlaw.com.au
www.gtlaw.com.au
Facsimile + 61 2 9263 4111
Telephone + 61 2 9263 4000

8 April 2004

BY FACSIMILE: (02) 6243 1211

Ms Stephanie Lovett
Adjudication Department
Australian Competition and Consumer Commission
470 Northbourne Ave
DICKSON ACT 2602

Dear Ms Lovett

**EXCLUSIVE DEALING NOTIFICATION N40702
CONFEDERATION OF AUSTRALIAN MOTOR SPORT LIMITED**

We refer to your letter dated 5 April 2004 and our conversation this afternoon.

We confirm that we act for ET Racing Fuels and Lubricants Pty Limited (**ET Racing Fuels**).

Our client is concerned about conduct engaged in by the Confederation of Australian Motor Sport Limited (**CAMS**) and Elf Lubricants Australia Pty Ltd (**Elf**) which may amount to third line forcing in breach of sections 47(6) and (7) of the *Trade Practices Act 1974* (Cth) (**TPA**).

Our client has engaged in correspondence with CAMS in relation to this issue and we attach copies of the following relevant documents:

1. Letter from Gilbert + Tobin to CAMS dated 24 March 2004.

2. Letter from Allens Arthur Robinson, solicitors for CAMS, to Gilbert + Tobin dated 26 March 2004.
3. Letter from Gilbert + Tobin to CAMS dated 31 March 2004.
4. Extract from CAMS website www.cams.com.au dated 22 February 2004.
5. Extract from ARC website www.rally.com.au dated 22 February 2004.
6. Letter from the Department of the Environment and Heritage to ET Racing Fuels and the Grant of Authorisation by the Minister for the Environment and Heritage in relation to Elf fuels dated 12 March 2003.
7. CAMS Technical Bulletin B04/038 dated 26 March 2004.
8. Extract from ARC website dated 8 April 2004.
9. Schedule G from CAMS 2004 Manual of Motor Sports.
10. Article 252.9.1 of Appendix J to the International Sporting Code of the FIA.

We intend to provide you with a detailed written submission in relation to the concerns of ET Racing Fuels by close of business on Tuesday 13 April 2004.

Our client is concerned to have this matter dealt with urgently because it is currently suffering significant loss and damage as a result of the actions of CAMS.

As you will see from the correspondence, as a result of the conduct of CAMS to date, ET Racing Fuels has been unable to supply its own fuel to competitors entering 4WD turbocharged and supercharged cars in the Australian Rally Championship (ARC). Following our correspondence with CAMS, CAMS have modified their rules, but in such a way as to cause confusion among competitors in the ARC. This has had the effect of continuing the damage caused to ET Racing Fuels as competitors in the ARC are likely to be uncertain about whether they can confidently purchase ET 102 for use in ARC events.

CAMS conduct to date in this matter has generally not been open. We refer in particular to the following factors:

- ET Racing Fuels was not invited to tender for the supply of fuel for the 2003 ARC.

- CAMS made a condition of participation by drivers of turbocharged and supercharged 4WD vehicles in the ARC that they purchase Elf WRF.
- Following the identification by ET Racing Fuels of serious third line forcing issues in relation to this conduct, CAMS has responded with an ambiguous clarification.
- The notification lodged by CAMS with the Commission was lodged late, after CAMS had already engaged in conduct likely to be in breach of section 47(6) and (7) of the TPA, and only following concerns raised by ET Racing Fuels.

As a result of this conduct, we consider that CAMS should not gain the statutory benefit accorded by section 93(7)(b).


We consider that the concerns raised by ET Racing Fuels are serious enough to warrant the Commission issuing a draft notice in relation to the proposed conduct notified by CAMS, prior to the expiration of the prescribed period referred to in section 93(7A). That is, we would encourage the Commission to issue a draft notice prior to 16 April 2004. In this regard, we request that this matter be brought to the attention of the Commission as a matter of urgency at the next meeting of the Commission, which we understand is on 14 April 2004.

Given the notification by CAMS envisages that competitors entering relevant vehicles in the ARC would be able to purchase alternative fuels, provided they notified the marshals that they did not want to earn competition points, it appears that neither CAMS nor Elf would suffer any detriment as a result of the issue of a draft notice by the Commission prior to next Friday.

We will supplement our submission in relation to the urgency of this matter in our written submission next Tuesday.

If you have any questions in relation to this request, please contact Luke Woodward on 9263 4014 or Graeme Edgerton on 9263 4206.

Yours faithfully
GILBERT + TOBIN



Luke Woodward / Graeme Edgerton
 encl

Our client ref: LXW:GDE:240451
Direct line: +61 2 9263 4206
Email: godgerton@gtlaw.com.au
Partner: Luke Woodward



LAWYERS

2 Park Street
Sydney NSW 2000
Australia
GPO Box 3810
Sydney NSW 2001
DX 10348 SSE
email@gtlaw.com.au
www.gtlaw.com.au
Facsimile + 61 2 9263 4111
Telephone + 61 2 9263 4000

FAXED

24 March 2004

BY FACSIMILE: (03) 9593 7700

Mr Robert Nethercote
Chief Executive Officer
Confederation of Australian Motor Sport Limited
851 Dandenong Road
Malvern East VIC 3145

Dear Sir

AUSTRALIAN RALLY CHAMPIONSHIP SUPER SERIES 2004

We act for ET Racing Fuels & Lubricants Pty Limited (ET Racing Fuels).

Our client manufactures high quality racing fuel which conforms to regulations and determinations made under the *Fuel Quality Standards Act 2000* (Cth) (FQS Act).

We understand that the Confederation of Australian Motor Sport Limited (CAMS) is the National Sporting Authority for motor sport in Australia. This responsibility is delegated to CAMS by the Federation Internationale de l'Automobile (FIA).

In November 2002 our client was invited by CAMS to submit a proposal to be the official supplier of racing fuel to be used in the Australian Rally Championship (ARC).

ET Racing Fuels submitted a proposal to CAMS on 12 December 2002 which offered ET Racing Fuel at a price of between \$3.85 and \$4.95, depending on how it was packaged. On 16 January 2003 ET Racing Fuels sent a sample of its ET 102 Racing Fuel to CAMS for testing. On 15 July

2003, CAMS confirmed that the ET 102 Racing Fuel complies with the requirements for fuel set out in Article 252.9.1 of Appendix J to the FIA International Sporting Code.

We are instructed that CAMS made a request for further tenders for the supply of fuel for the ARC in December 2003. ET Racing Fuel was not invited to submit a tender.

CAMS currently requires all competitors entering 4WD turbocharged and supercharged cars in the 2004 and 2005 ARC to use Elf WRF fuel. CAMS has advised that "under CAMS rules, the use of any other fuel will render the entrants of such cars liable for prosecution and exclusion from the event". The 2004 CAMS Manual of Motor Sport provides in Schedule G that:

"A 'Control Fuel' may be specified for a particular series or competition. Where such Control Fuel is specified, such fuel must either meet the requirements of Articles 2 to 6 (above) or otherwise be specifically approved by CAMS. ..."

Article 6 of Schedule G deals with FIA Fuels. Elf WRF is described on the CAMS website www.cams.com.au as being an "FIA Fuel".

Orders for Elf WRF can be placed on the ARC website www.rally.com.au at a price of \$5.50 per litre.

Elf WRF fuel is manufactured in France by Elf Racing Fuels and Lubricants and distributed in Australia in 200 litre drums by Elf Lubricants Australia Pty Ltd, Elf Racing Fuels Pty Ltd and Elf Racing Fuels and Lubricants Qld. Elf fuel is not available from service station pumps in Australia.

We are instructed that Elf WRF does not comply with certain fuel parameters specified in the *Fuel Standard (Petrol) Determination 2001 (the Petrol Determination)* including that it contains a prohibited level of Methyl tertiary-butyl ether (MTBE). The Petrol Determination, made by the Minister for the Environment and Heritage, sets a maximum MTBE level of 1% by volume. This limit is based on concerns that MTBE has the potential to contaminate surface and groundwater supplies rendering them unpotable.

Elf Lubricants Australia Pty Ltd applied under the FQS Act for an authorisation for a number of fuels, including Elf WRF, which do not otherwise comply with the Petrol Determination and we understand it has been granted an authorisation (the Authorisation) until 30 June 2005 subject to certain conditions.

The Authorisation notes that, in addition to exceeding the prescribed level of MTBE, ten listed Elf fuels including Elf WRF are also in breach of a number of the following parameters for petrol set out in the Petrol Determination:

- an Aromatic content of more than 48% volume by volume (and 45% volume by volume pool average over 6 months), or from 1 January 2005 more than 45% volume by volume (and 42% volume by volume average over 6 months);
- an Oxygen content of more than 2.7% mass by mass (petrol not containing ethanol), or 3.5% mass by mass (petrol containing ethanol);
- a Di-isopropyl ether (DIPE) content of more than 1% volume by volume; or
- an Olefins content of more than 18% pool average over 6 months with a cap of 20%.

Each of these parameters has been set by the Minister for the Environment and Heritage for sound environmental and public health and safety reasons. Of particular concern is an increase of the Aromatic content of a fuel above the prescribed level. The Authorisation notes that:

"Combustion of aromatics can lead to the formation of toxic benzene in exhaust gas. Benzene is a proven human carcinogen that can cause fatal acute myeloblastic leukaemia in exposed persons."

By reason of the Authorisation, Elf WRF fuel may only be supplied by Elf Lubricants Australia Pty Ltd or by one of five other regulated persons. CAMS is not one of those regulated persons.

The conduct of CAMS set out above raises serious concerns under the *Trade Practices Act 1974* (Cth) (TPA). We deal with these concerns in more detail below.

Third line forcing

The conduct of CAMS set out above is in breach of sections 47(6) and (7) of the TPA which prohibits the practice of "third line forcing".

Section 47(6) of the TPA prohibits a corporation from supplying goods or services to a person on the condition that the person acquire particular goods or services from a third person. Section 47(7) prohibits a corporation from refusing to supply goods or services to a person for the reason that the person has not acquired or agreed to acquire particular goods or services from a third person.

CAMS provides a number of services to entrants in the ARC. Significantly for present purposes, CAMS provides a right to participate in the ARC for persons seeking to enter various classes of vehicle, including 4WD turbocharged and supercharged cars. CAMS has indicated that it will only provide this right of participation to persons seeking to enter 4WD turbocharged and supercharged cars if these persons acquire Elf WRF fuel. This requirement by CAMS is in breach of section 47(6) of the TPA. CAMS has also indicated that it will refuse the right of participation to entrants of 4WD turbocharged and supercharged cars if these persons do not acquire or do not agree to acquire Elf WRF fuel. This conduct is in breach of section 47(7) of the TPA.

Such conduct causes significant loss and damage to ET Racing Fuel because it denies ET Racing Fuel the opportunity of selling an alternative fuel, which is otherwise compliant with CAMS and FIA specifications, to entrants of 4WD turbocharged and supercharged cars in the ARC.

Misleading and deceptive conduct

CAMS lists a number of fuels on its website as "FIA Fuels" including Elf WRF. The reference to "FIA Fuels" is a reference to this definition in Schedule G of the 2004 CAMS Manual of Motor Sport which provides that such fuels must comply with Article 252.9.1 of Appendix J to the FIA International Sporting Code. Article 252.9.1 provides, among other things, that fuel "must be commercial petrol which comes from the service station pump". We are instructed that Elf WRF is not available from a service station pump anywhere in Australia. Indeed, the Authorisation prohibits Elf WRF from being stored in underground storage tanks because of the potential for groundwater contamination.

The ARC website contains a page which allows visitors to the site to place an order for Elf WRF fuel and notes that this fuel is the ARC control fuel.

The references to Elf WRF fuel on the CAMS and ARC websites imply that this fuel complies with the FIA International Sporting Code and with regulations and determinations made under the FQS Act. As noted above, Elf WRF is not compliant with the FIA International Sporting Code. Similarly, Elf WRF contains a level of MTBE which is ordinarily prohibited by the Petrol Determination and may exceed other environmental and public safety standards set by the Petrol Determination. CAMS' website does not disclose the following matters:

- that Elf WRF fuel contains MTBE which has the potential to contaminate surface and groundwater supplies;
- that the level of MTBE in Elf WRF fuel exceeds the level regulated by the Petrol Determination;

- that Elf WRF fuel may exceed other environmental and public safety standards set by the Petrol Determination;
- in particular, Elf WRF fuel may exceed the regulated Aromatics content, with a consequential increase risk of producing toxic benzene in exhaust gas which can cause fatal acute myeloblastic leukaemia in exposed persons;
- that Elf Lubricants Australia Pty Ltd has applied for an authorisation from the Department of the Environment and Heritage which would allow Elf fuel to be used for limited purposes despite the fact that it is not otherwise compliant with the Petrol Determination; and
- the terms on which the Authorisation has been given.

For the reasons set out above, the websites contain implied representations in trade or commerce which are misleading or deceptive or are likely to mislead or deceive in contravention of section 52 of the TPA.

Other fuels listed as "FIA Fuels" on CAMS' website are Elf LMS, Elf Turbo Max, Sunoco Sun Euro and VP Racing Fuels A5. We are instructed that each of these fuels are also unavailable from a bowser anywhere in Australia, contain a level of MTBE that would be prohibited without Ministerial authorisation and may also exceed other environmental and public health and safety standards set by the Petrol Determination. The references to these other fuels on CAMS' website imply that they comply with the FIA International Sporting Code and with the Petrol Determination. For the reasons outlined above, these representations are also misleading or deceptive or are likely to mislead or deceive in contravention of section 52 of the TPA.

CAMS' website lists Elf BFK-07 as a "Pump Fuel". We are instructed that Elf BFK-07 is not available from the bowser. As a result, the reference to Elf BFK-07 as a "Pump Fuel" is misleading or deceptive or likely to mislead or deceive. ET 102 racing fuel is correctly identified on CAMS' website as a "Pump Fuel".

The conduct of CAMS in relation to the description of fuels on its website and the ARC website as set out above causes significant loss and damage to ET Racing Fuels as it encourages CAMS event participants and others to purchase products which are not compliant with the FIA International Sporting Code, are not "Pump Fuels", and contain ingredients which raise serious environmental and public health and safety concerns, in circumstances where ET Racing Fuels manufactures an alternative, safe, legally compliant product available from the bowser. If consumers were not misled into believing that Elf BFK-07, Elf WRF and the other listed "FIA

Fuels" were compliant with the FIA International Sporting Code and with government regulations, it is likely that they may choose to purchase ET 102 Racing Fuel instead.

Next steps

The conduct engaged in by CAMS constitutes serious breaches of the TPA in relation to which our client would be entitled to bring proceedings for relief or to notify a complaint to the Australian Competition and Consumer Commission.

Nevertheless, our client would prefer to reach a negotiated resolution with CAMS, which is compliant with the TPA and which protects the commercial interests of ET Racing Fuels.

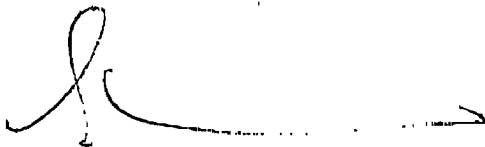
We note that the next event in the ARC is the Respect Yourself Rally in WA and is scheduled for 27-28 March 2004. Clearly competitors who have been preparing for this event may already have purchased Elf WRF fuel as a result of conduct by CAMS in breach of the TPA, with consequential loss to our client. Our client requires CAMS to immediately confirm in writing and to publish a statement on its website to the effect that competitors entering 4WD and turbocharged and supercharged cars in the ARC may purchase and use ET 102 Racing Fuel for use in the ARC without penalty or risk of exclusion from the event.

In light of the seriousness and urgency of this matter, we are instructed to propose a meeting between CAMS and ET Racing at a convenient time within the next 7 days in order to discuss an appropriate resolution. We propose that the meeting take place at the offices of Gilbert + Tobin, Level 37, 2 Park Street, Sydney. Please let us know whether CAMS is prepared to attend a meeting in the period set out above to discuss the concerns held by ET Racing.

We also request that you provide us with a copy of the 2003 tender for supply of fuel to ARC.

Our client reserves all of its rights.

Yours faithfully
GILBERT + TOBIN



Luke Woodward / Graeme Edgerton



Allens Arthur Robinson



Date 26 March 2004
Page 1 of 2
From David Brewster
To Luke Woodward/Graeme Edgerton, Gilbert & Tobin,
 Sydney
Fax 61 2 9263 4111

ABN 47 702 585 758
 Stock Exchange Centre
 530 Collins Street
 Melbourne VIC 3000
 Australia
 Tel 61 3 9514 1011
 Fax 61 3 9614 4661

Correspondence
 GPO Box 1776Q
 Melbourne VIC 3001
 Australia
 DX 30999 Melbourne
 Stock Exchange

www.aar.com.au

Confidential Fax
 Fax enquiries ring 61 3 9613 8971

Dear Sirs

Australian Rally Championship (ARC) Super Series 2004

Please see attached.

Attach
 Our Ref DDB:000000

ddbm M0111487949v1 000000 25.3.2004

This document and any following pages may contain personal information and is intended solely for the named addressee. It is confidential and may be subject to legal or other professional privilege. Any confidentiality or privilege is not waived or lost because this document has been sent to you by mistake. The copying or distribution of this document or any information in it by anyone other than the addressee is prohibited. If you have received this document in error, please let us know by telephone, and then return it by mail to the address above. We will refund your costs of doing so. Any personal information in this document must be handled in accordance with the Privacy Act 1988 (Cth). We may collect personal information about you in the course of our dealings with you. Our privacy statement (www.aar.com.au/privacy) tells you how we usually collect and use your personal information and how you can access it.

Sydney
 Melbourne
 Brisbane
 Perth
 Port Moresby
 Singapore
 Hong Kong
 Jakarta
 Shanghai
 Bangkok
 Phnom Penh

Received Time 26-Mar-16:50

Allens Arthur Robinson

26 March 2004

Gilbert & Tobin
2 Park St
Sydney NSW 2000

Attention: Luke Woodward/Graeme Edgerton

ABN 47 702 895 738
Stock Exchange Centre
530 Collins Street
Melbourne VIC 3000
Australia

Tel 61 3 9614 1011
Fax 61 3 9614 4661

Correspondence
GPO Box 1776Q
Melbourne VIC 3001
Australia
DX 30999 Melbourne

www.aar.com.au

Dear Sirs


Australian Rally Championship (ARC) Super Series 2004

We act for the Confederation of Australian Motor Sport Ltd (CAMS). We refer to your letter dated 24 March 2004 to Dr Nethercote in relation to the above matter.

Without prejudice to any of our client's rights, we confirm that competitors entering 4WD and turbocharged and supercharged cars in the ARC rally in Western Australia on 27 and 28 March 2004 may use fuels other than Elf WRF if such fuels meet the requirements of Schedule G of the 2004 CAMS Manual of Motor Sport. We confirm that a notice to that effect has been placed on the CAMS website.

In light of the very short time period provided to respond to the issues in your letter, we are still seeking further instructions from our client in relation to the matters you have raised. Our client will not be in a position to meet with your client in Sydney in the next week however we are instructed that the next ARC Super Series event is not scheduled until May 2004.

Yours faithfully



Ref DD5:000000

ddbm M0111487949v1 000000 26.3.2004

Received Time 26.Mar. 16:50

08/04/04 17:14 Pg: 11

Sydney
Melbourne
Brisbane
Perth
Port Adelaide
Singapore
Hong Kong
Jakarta
Shanghai
Bangkok

Fax from : 61 2 92634111

Our client ref: LXW:GDE:240451
Direct line: +61 2 9263 4206
Email: gedgerton@gtlaw.com.au
Partner: Luke Woodward
Your ref: DDB:000000

FAXED

2 Park Street
Sydney NSW 2000
Australia
GPO Box 3810
Sydney NSW 2001
DX 10348 SSE
email@gtlaw.com.au
www.gtlaw.com.au
Facsimile + 61 2 9263 4111
Telephone + 61 2 9263 4000

31 March 2004

BY FACSIMILE: (03) 9614 4661

Allens Arthur Robinson
Stock Exchange Centre
530 Collins Street
Melbourne VIC 3000

Attention: David Brewster

Dear Sirs

AUSTRALIAN RALLY CHAMPIONSHIP SUPER SERIES 2004

We refer to your letter dated 26 March 2004 and to the Technical Bulletin B04/038 (the **Bulletin**) posted on the CAMS website on 26 March 2004.

We note that the effect of the **Bulletin** is to remove the requirement on persons entering turbocharged and supercharged 4WD vehicles in the ARC to use only Elf WRF fuel. Our client continues to have concerns in relation to the issues raised in our letter of 24 March 2004. In particular:

1. The **Bulletin** sets out its "rationale" as being "to suspend the implementation of the requirement for certain competitors to use a Control Fuel". This statement has the potential to create uncertainty among ARC competitors as it implies that this suspension may be lifted at some unspecified point in the future.

2. The ARC website, www.rally.com.au continues to promote Elf WRF as the "control fuel" for all 4WD turbo-charged and super-charged cars driven by registered drivers in the ARC Super Series and invites competitors to place orders for Elf WRF online. This statement is at odds with the amendment to the ARC Regulations set out in the Bulletin and represents a continuation of the conduct complained of in our letter of 24 March 2004.

Both of the issues identified above have the potential to cause significant loss and damage to ET Racing Fuels as competitors have not been adequately informed that they may confidently purchase ET 102 racing fuel for use in the ARC Super Series.

We note your observation that the next ARC Super Series event is not scheduled until May 2004. However, we are instructed that competitors in the ARC Super Series purchase their fuel well in advance of each event, including for the purpose of conducting pre-event testing. Consequently, the potential loss and damage to our client will continue between events in circumstances where competitors are uncertain about what fuel they are allowed to use.

Our client requires CAMS to take the following steps:

1. Publish a prominent clarification on the CAMS website which indicates that the requirement on competitors to use a control fuel has been removed, rather than suspended, and that competitors may use any fuel which meets the requirements of Schedule G of the 2004 CAMS Manual of Motor Sport, including ET 102 Racing Fuel.
2. Remove or procure the removal of the reference on the ARC website to Elf WRF being the "control fuel for all 4WD turbo-charged and super-charged cars driven by registered drivers in the ARC Super Series in 2004 and 2005".
3. Include or procure the inclusion of a statement on the ARC website on the page headed "Buy Fuel" (<http://rally.com.au/BuyFuel.aspx>) to the effect that competitors may use any fuel which meets the requirements of Schedule G of the 2004 CAMS Manual of Motor Sport, including ET 102 Racing Fuel.
4. Offer all manufacturers of fuels which comply with the requirements of Schedule G of the 2004 CAMS Manual of Motor Sport the option of offering their fuel for sale through orders placed on the ARC website, on the same terms as those offered to Elf.

Given the continuing damage to our client caused by the actions of CAMS, we look forward to your urgent response.

Yours faithfully
GILBERT + TOBIN

per J Cass - Gottlieb

Luke Woodward / Graeme Edgerton



- HOME
- HEADLINES
- FEATURES
- BULLETINS
- ABOUT CAMS
- CALENDAR
- CLUBS
- CATEGORIES
- GETTING STARTED
- MEMBER BENEFITS
- LICENSING
- COMPETITORS
- OFFICIALS
- EVENT PERMITS
- VEHICLES
- PAPER FORMS
- CONTACT CAMS
- LINKS
- FOUNDATION

Vehicles - Fuel Compliance List
Fuels in compliance with Schedule G
 As of 20 February 2004

Following many requests, CAMS have prepared a summary of Unleaded Fuels in compliance with the various requirements of Schedule G. The following lists are not exhaustive, and there may be fuels not listed which do comply with the various regulations.

In particular, the list does not include the 91 and 95 Octane Fuels available from roadside bowlers, although these would be in compliance with the requirements of Schedule G for Pump Fuel.

The following fuels are accepted by CAMS, and represent those unleaded fuels most likely to appeal for motorsport use.

Important note: Specific Event/Championship/Series regulations may impose additional restrictions on the fuel available for use, such as when a control fuel is required. Always consult these regulations prior to competition.

Pump Fuels

Manufacturer	Proprietary Name
BP	Ultimate
Elf	BFK-07
ET Racing Fuels	ET102
Mobil	Synergy 8000
Shell	Optimax

FIA Fuels

Manufacturer	Proprietary Name
Elf	WRF
Elf	LMS
Elf	Turbo Max
ET Racing Fuels	ET102
Sunoco	Sun Euro
VP Racing Fuels	A5

14 Mar 04 09:35p

Paul Hayes

(02) 99499756

P. 18

Buy Fuel

02 99499756

* Number of litres required

* Pick up point

* Date fuel required

Cancel

Submit Order



It's the answer to 100% coverage wherever you are



home



Australian Government
Department of the Environment and Heritage

Mr Joe Mangraviti
Director, ET Racing Fuels
PO Box 351
STRATHFIELD NSW 2135

Dear Mr Mangraviti

Thank you for your letter of 9 March 2004 in relation to the approval applications from fuel importers seeking a variation of the *Fuel Standard (Petrol) Determination 2001* (the Petrol Determination).

I am able to advise that the Minister for the Environment and Heritage, the Hon Dr David Kemp MP, has granted approvals to Elf Competition Fuel and Lubricants, VP Racing Fuels and VPW Australia, permitting them to supply unleaded racing fuels that do not meet some of the fuel parameters in the Petrol Determination.

Before granting an approval, the Minister consulted with the Fuel Standards Consultative Committee (the Committee), of which I am the Chair. Both the Committee and the Minister considered the comments in your letter.

A "Section 17A Notice" providing reasons for the Minister's decision for each of the three approvals is attached, together with a copy of the approval instruments. These documents will be publicly notified in the *Government Notices Gazette* in the near future.

The period of operation of the approvals is from 12 March 2004 until 30 June 2005. During this time, the Department of the Environment and Heritage will arrange for a detailed assessment of the current and projected use (as influenced by the further tightening of the availability of leaded fuel for use in motor/water sport use) of specialist unleaded petroleum-based racing fuel. The views of all interested stakeholders, including both the users and suppliers of these types of fuels, will be sought. ET Racing Fuels will be included in this assessment.

Section 70 of the *Fuel Quality Standards Act 2000* contains provisions pertaining to an application to the Administrative Appeals Tribunal (AAT) for review of the Minister's decision. ET Racing Fuels may meet the standing requirements specified in the Act to apply for a review of these decisions. If you have any questions regarding the AAT review process the contact number for the AAT is 1300 366 700. If you do decide to seek administrative review of these decisions, you should lodge an application directly with the AAT. Relevant forms are available from the AAT but you may instead write to them including the following information in your letter:

- the date and details of the decision;
- the person who made the decision; and
- the reason(s) for your request.

03 Mar 04 03:03p
23. MAR. 2004 12:04

MangravitiPartner^A
02 97440646

02 97440646
NO. 0762 P. 2

P. 3

The address of the AAT is at GPO Box 9955 in your Capital City. An application to the AAT must be accompanied by a filing fee of \$574. In some circumstances the fee is not payable. You should contact the Tribunal if you wish to apply to have the fee waived.

Should you have any queries in relation to this letter, please do not hesitate to contact Susan Levett (tel: (02) 6274 1903, fax: (02) 6274 1640; email: susan.levett@deh.gov.au).

Yours sincerely



Peter Burnett
Assistant Secretary
Environment Standards Branch

23 March 2004

GPO Box 787 Canberra ACT 2601 Telephone 02 6274 1111 Facsimile 02 6274 1686
Internet: www.deh.gov.au



MINISTER FOR THE ENVIRONMENT AND HERITAGE

FUEL QUALITY STANDARDS ACT 2000

GRANT OF APPROVAL – SECTION 13

I, David Alistair Kemp, Minister for the Environment and Heritage, pursuant to section 13 of the *Fuel Quality Standards Act 2000* (the Act), having consulted with the Fuel Standards Consultative Committee as required by section 24A of the Act, hereby grant this approval to Elf Lubricants Australia Pty Ltd (the approval holder).

This approval varies the fuel standard for petrol set out in the *Fuel Standard (Petrol) Determination 2001* (the Determination) in respect of supplies by the approval holder, or by another person specified in Annexure 1 of the following Elf fuels:

- | | |
|--------------------|-----------------------|
| 1. F1; | 6. LMS; |
| 2. ATMO Rallye; | 7. Turbo Plus; |
| 3. Turbomax; | 8. World Rally Fuel; |
| 4. CIK Kart; | 9. Perfro Rallye; and |
| 5. MITS 40 Series; | 10. AVS P11; |

such that supplies of these fuels by the approval holder or those specified persons, which have the following properties:

- an Aromatic content of more than 48% volume by volume (and 45% volume by volume pool average over 6 months), or from 1 January 2005 more than 45% volume by volume (and 42% volume by volume average over 6 months);
- an Oxygen content of more than 2.7% mass by mass (petrol not containing ethanol), or 3.5% mass by mass (petrol containing ethanol);
- a Di-isopropyl ether (DIPE) content of more than 1% volume by volume; or
- a Methyl tertiary-butyl ether (MTBE) content of more than 1% volume by volume; or
- an Olefins content of more than 18% pool average over 6 months with a cap of 20%;

will be taken to comply with the Aromatic, Oxygen, DIPE, MTBE and Olefins parameters specified in the Determination.

Approval is granted subject to the conditions specified in Section 17 of the Act and in Annexure 2 of this approval.

Approval is granted for the period from the date of this approval until 30 June 2005.

Dated

12/3/

2004

Minister for the Environment and Heritage

Annexure 1

The following are regulated persons under paragraph 13(1)(b) of the *Fuel Quality Standards Act 2000*.

HI-TEC FUELS AUSTRALIA PTY LTD

PO Box 43
OAKDALE NSW 2570
Tel: (02) 4659 6396
Fax: (02) 4659 6468

RACE FUELS PTY LTD

Unit 8/172 McIvor Road
BENDIGO VIC 3550
Tel: (03) 5442 8177 or 0419 511 517

BRONTE RUNDEL - PERFORMANCE FUELS SA

14 Anderson Walk
P.O Box 106
SMITHFIELD SA 5114
Tel: (08) 8254-8444
Fax: (08) 8254-6660 or 0431-148-145

PHIL MUTTON - BP DRIVEWAY

54 Sotherden Street
SANDGATE QLD 4017
Tel: (07) 3269-1427
Fax: (07) 3869-0875

BRADLEY DAY - INDEPENDENT OILS

8 Trevor Street
ULVERSTONE TASMANIA 7315
Tel: (03) 6425-7247
Fax: (03) 6425-3958

Annexure 2

Conditions of approval

Conditions that apply to the approval holder and to the regulated persons

This approval is subject to the following conditions:

1. The fuels specified in this approval may only be supplied:
 - (a) to an individual who has been issued with and presents a valid and current motor sport club/organisation licence and/or identification card (where that motor sport club/organisation relates to land-based motorsport); or
 - (b) to an individual for the purpose of testing or tuning an engine.
2. The fuel specified in this approval must be accompanied by written information relating to the safe handling of the fuel.
3. Fuels containing more than 1% MTBE must be supplied in sealed drums and not stored in underground fuel tanks. Any known leakage of a fuel containing more than 1% MTBE will be reported as soon as possible to the Commonwealth Department of the Environment and Heritage, and to the relevant State or Territory environment protection agency.
4. Conditions 1-2 do not apply when one regulated person supplies the fuel specified in this approval to another regulated person.

Conditions that apply to the approval holder

This approval is subject to the following conditions:

1. When the approval holder becomes aware of a change in the level of MTBE parameter in the fuels specified in this approval, the approval holder will, within two weeks of being made aware of the change, notify the Commonwealth Department of the Environment and Heritage.

23. MAR. 2004 12:05

02 97440646

NO. 0762 P. 6



MINISTER FOR THE ENVIRONMENT AND HERITAGE

NOTICE UNDER SECTION 17A OF THE FUEL QUALITY STANDARDS ACT 2000 CONCERNING A DECISION TO GRANT AN APPROVAL TO ELF LUBRICANTS AUSTRALIA PTY LTD

I, David Alistair Kemp, Minister for the Environment and Heritage, provide the following information concerning my decision to grant an approval under section 13 of the *Fuel Quality Standards Act 2000* (the Act).

Name of approval holder

The approval has been granted to Elf Lubricants Australia Pty Ltd.

Period of operation

The period of operation of the approval is from the date of the approval until 30 June 2005.

Details of the approval

This approval varies the fuel standard for petrol under the *Fuel Standard (Petrol) Determination 2001* (the Petrol Determination) in respect of supplies of the following Elf fuels:

- | | |
|--------------------|-----------------------|
| 1. F1; | 6. LM5; |
| 2. ATMO Rallye; | 7. Turbo Plus; |
| 3. Turbomax; | 8. World Rally Fuel; |
| 4. CIK Kart; | 9. Perfro Rallye; and |
| 5. MITS 40 Series; | 10. AVS P11; |

so that petrol with the following parameters:

- an Aromatic content of more than 48% volume by volume (and 45% volume by volume pool average over 6 months), or from 1 January 2005 more than 45% volume by volume (and 42% volume by volume average over 6 months);
- an Oxygen content of more than 2.7% mass by mass (petrol not containing ethanol), or 3.5% mass by mass (petrol containing ethanol);
- a Di-isopropyl ether (DIPE) content of more than 1% volume by volume; or
- a Methyl tertiary-butyl ether (MTBE) content of more than 1% volume by volume; or
- an Olefins content of more than 18% pool average over 6 months with a cap of 20%;

complies with the Aromatic, Oxygen, DIPE, MTBE and Olefins parameters, subject to the conditions listed in the approval at Annexure 2, and where the petrol is supplied by the approval holder, or by another person specified in Annexure 1 of the approval.

A copy of the approval instrument is attached to this Notice.

Background

Elf Lubricants Australia Pty Ltd imports specialist racing fuels and products from Elf Racing Fuels and Lubricants (Elf) in France. Ten of Elf's fuels supplied in Australia do not comply with one to five parameters prescribed in the Petrol Determination: aromatics, oxygen, Di-isopropyl ether (DIPE), Methyl tertiary-butyl ether (MTBE) and/or olefins.

Section 15 of the Act provides that the Minister must have regard to the following when deciding whether or not to grant, or amend, an approval:

- (a) the protection of the environment;
- (b) the protection of occupational and public health and safety;
- (c) the interests of consumers; and
- (d) the impact on economic and regional development.

I may also have regard to any other matters I consider relevant.

23. MAR. 2004 12:05

02 97440646

NO. 0762 P. 7

Section 24A of the Act provides that I must consult, and have regard to, the recommendations of the Fuel Standards Consultative Committee (the Committee) before granting an approval under section 13. Before signing the instrument granting the approval, I consulted with the Committee and had regard to their recommendation dated 10 March 2004, which contains the Policy Principles - Access to specialist unleaded petroleum-based racing fuel by motor sport enthusiasts.

Findings on material questions of fact

(a) Protection of the environment

The parameters that have been tested and found to be non-compliant are regulated in the Petrol Determination for the following reasons.

i. MTBE (Methyl tertiary-butyl ether)

The Minister for the Environment and Heritage decided to set a maximum MTBE level of 1% volume from 1 January 2004, based on the concerns surrounding the use of MTBE, in particular its potential to contaminate surface and ground water supplies. While MTBE is non-toxic to aquatic life forms, animal and humans, contamination renders it unpotable. Experience in the USA found that the primary source of water contamination was from leaks or illegal drainage from underground gasoline storage tanks and distribution pipes. Surface water was also contaminated through older recreational watercraft operating on lakes and waterways.

In relation to tailpipe emissions, the use of MTBE in petrol results in decreased vehicle emissions of hydrocarbons and carbon monoxide, with little changes in nitrogen oxides. However, recent research completed by the University of California found that MTBE and other oxygenates had no significant effect on exhaust emissions in advanced technology vehicles.

ii. Olefins

The Minister for the Environment and Heritage decided to set a maximum olefins level of 18% pool average over six months from 1 January 2004, based on the concerns surrounding the significant role hydrocarbon-based vehicle emissions play in urban ozone (or photochemical smog) formation, and to the fact that there are significant adverse public health impacts from exposure to some hydrocarbons formed from olefins.

The ozone formation potential of olefins is derived predominantly from the lighter (low molecular weight) volatile olefin fractions.

iii. Aromatics

The Minister for the Environment and Heritage decided to set a maximum level of 45% pool average over six months from 1 January 2002, because regulation of aromatic content is considered important in ensuring consistency across the industry as a whole and to assist in the management of toxic benzene emissions.

Research indicates that combustion chamber deposits can form from the heavier hydrocarbon molecules found in the aromatic hydrocarbon portion of the petrol. These deposits can increase tailpipe emissions, including carbon dioxide, hydrocarbons and NOx.

iv. DIPE (Di-isopropyl ether)

There is little data available on DIPE, but it is expected to have similar properties to MTBE and therefore raise similar concerns. Accordingly, the Minister for the Environment and Heritage decided to set a maximum level of 1% volume from 1 January 2002; this effectively prohibits the addition of DIPE to petrol.

v. Oxygen

The Minister for the Environment and Heritage decided to set a maximum level of 2.7% m/m (no ethanol) and 3.5% m/m (with ethanol) oxygen from 1 January 2002 and 1 July 2003, to assist in preventing potential detrimental impacts on engines if the oxygen content of the fuel is too high. A fuel mix that is too high in oxygen can degrade 'driveability', can cause emissions to increase, by extreme 'misfiring' (the interruption of an engine's combustion causing loss of power).

Summary

The fuels subject to this approval are used in small quantities in motor sport activities and are supplied in small quantities (i.e. 25, 40 and 200 litre drums). In this context, higher levels of olefins and aromatics are not expected to impact significantly on ambient air quality.

23. MAR. 2004 12:06

02 97440646

NO. 0762 P. 8

The consequences of even a small amount of MTBE contaminating water sources can be significant. Given the careful handling of these fuels compared with bulk fuels, we consider the risk of contamination is minor. Conditions relating to the use and handling will minimise any risk.

It is therefore not expected that permitting the supply of petroleum-based unleaded racing fuels for motorsport activities will have an adverse effect on the environment.

(b) Protection of occupational and public health and safety

No significant occupational and public health and safety issues will be raised by these amendments.

i. MTBE (Methyl tertiary-butyl ether)

MTBE can contaminate water at very low levels, rendering water unpotable because of its taste and odour. The risk of exposure to MTBE through the ingestion of contaminated water or inhalation by the general population is low.

ii. Olefins

High olefin content can lead to increased toxic compounds, specifically 1,3-butadiene, a known carcinogen, is formed during the combustion of olefin compounds in petrol.

iii. Aromatics

Combustion of aromatics can lead to the formation of toxic benzene in exhaust gas. Benzene is a proven human carcinogen that can cause fatal acute myeloblastic leukaemia in exposed persons. (It may also cause lymphatic leukaemia, although this is disputed.) Reducing the aromatic content of petrol also contributes to the reduction of oxides of nitrogen (NOx.)

iv. DIPE

DIPE is reported as a suspected neurotoxicant.

v. Oxygen

Oxygenates are used to increase the oxygen content of fuel to improve combustibility, and to limit ozone and carbon monoxide emissions from vehicles. Whilst oxygenates do not measurably increase noxious exhaust emissions, the health effects of certain oxygenates have, however, been the subject of debate for some time.

Summary

The fuels subject to this approval are used in small quantities in motor sport activities and are supplied in small quantities (i.e. 25, 40 and 200 litre drums). They do not, therefore, pose a significant risk to the general public.

Persons engaged in the use of these fuels may be exposed to relatively high levels of toxics. It is a condition of the approval that information be provided to the user, in the form of written safety information relating to the fuel's use and handling.

(c) Interests of consumers

An approval can be granted under section 13 of the Act, and the note on this clause in the Fuel Quality Standards Bill 2000 Revised Explanatory Memorandum states that this provision is intended to cater to situations such as where a motor sports organisation applies for an approval to supply non-compliant fuel on behalf of teams participating in an organised motor racing event.

An approval can be granted under section 13 of the Act, and the note on this clause in the Fuel Quality Standards Bill 2000 Revised Explanatory Memorandum states that this provision is intended to cater to situations such as where a motor sports organisation applies for an approval to supply non-compliant fuel on behalf of teams participating in an organised motor racing event.

Many motorsport vehicles have high-compression engines (i.e. the ratio between the volume of fuel mixture before and after it has been subject to compression) that require high-octane fuels. A motorsport vehicle may have a compression ratio of from 11:1 to 17:1; a typical petrol engine compression ratio is 9:1. High compression ratios provide greater engine efficiency, but may need fuel with a high octane rating to prevent detonation (i.e. unusually rapid burning of the fuel mixture).

23. MAR. 2004 12:06

02 97440646

NO. 0762 P. 9

High performance unleaded fuel may contain substances such as MTBE, aromatics, DIPE and olefins, in order to provide sufficient octane ratings that would otherwise be reached by the addition of tetra-ethyl lead.

It is unclear whether there are any substitute fuels that could align more closely with the Petrol Determination and meet the requirements of the Federation Internationale de l'Automobile (FIA). Prohibiting the supply of the 10 fuels subject to these approval applications may act to limit consumer choice in motorsport activities.

Motorsport enthusiasts are being encouraged to consider options to switch to unleaded substitutes. The use of leaded petrol for motorsport activities, which is currently permitted under two approvals dated 6 December 2002, will be further restricted after 30 June 2005.

(d) Impact on economic and regional development

It is likely that a decision not to allow the continued supply of these specialist unleaded petroleum-based racing fuels would have an adverse impact on the running of significant internationally recognised motorsport events. Such events include the Australian Formula 1 Grand Prix, the Philip Island World Motorcycle Grand Prix and the Philip Island World Superbike motorcycle races.

These international events rely on using the same or similar fuel formulations for each race meeting, regardless of which country the event is held in. The fuels currently used at these events comply with regulations made by the FIA. FIA is the internationally recognised world controlling body for motor sport that sets the standards and guidelines for fuel within world championship motor sport.

Evidence or other material on which the findings were based

I have taken into account the Committee recommendation dated 10 March 2004, which contained the 'Policy Principles - Access to specialist unleaded petroleum-based racing fuel by motor sport enthusiasts'. I agree with the Committee's recommendation.

Reasons for decision

The use of unleaded petroleum-based racing fuels that do not meet the requirements of the Fuel Standard (Petrol) Determination 2001, for legitimate motor sport activities, is supported until 30 June 2005, to allow time for a consultancy project to examine issues pertaining to these fuels, and the continued phase out of leaded fuel in motor/water sport activities.

The fuels subject to this approval are used in small quantities in motor sport activities and are supplied in small quantities (i.e. 25, 40 and 200 litre drums).

The fuels subject to this approval are expensive compared with pump petrol available from bowsers, which is a strong disincentive for any waste or misuse.

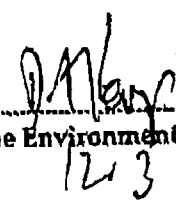
These fuels do not, therefore, pose a significant risk to the general public, either through direct handling of them or through exhaust emissions.

The use of these fuels will not be supported for use in water sport or recreational activities on fresh water lakes and waterways.

These fuels must be supplied in sealed drums and not stored in underground fuel tanks. Any known leakage of a fuel must be reported as soon as practicable possible to the Commonwealth Department of the Environment and Heritage, and to the relevant State or Territory environment protection agency.

Conditions are attached to this approval that apply to the approval holder and regulated persons in relation to the supply of these fuels.

The granting of this approval is not expected to have an adverse impact on the environment.


Minister for the Environment and Heritage

12/3
/2004



BULLETIN

Page 1 of 2

Bulletin Number: B04/038
Date of Implementation: 26 March 2004

TECHNICAL BULLETIN GLOBALSTAR AUSTRALIAN RALLY CHAMPIONSHIP - FUEL

REFERENCE:

2004 ARC Regulations Part 2 – Technical Regulations, (page 11-39) as amended by CAMS 2004 Bulletin B04-010.

RATIONALE:

To suspend the implementation of the requirement for certain competitors to use a Control Fuel. Further information will be provided in due course.

AUTHORITY:

This amendment was approved by the Australian Rally Commission by circulation vote on 26 March 2004.

ACTION:

Delete Article 1 to ARC Regulations: Part 2 – Technical Regulations, page 11-39 in its entirety:

~~"1. Fuel~~

~~All turbo/super charged four wheel drive vehicles driven by registered drivers are required to utilise the ARC control fuel (Elf WRF) in all events other than Rally Australia.~~

~~F16, Australia Cup and the Subaru Rally Challenge vehicles shall be required to comply with the relevant regulations to those categories pertaining to fuel.~~

~~Non ARC registered drivers in turbo/super charged four wheel drive vehicles and registered drivers in vehicles in other classes shall use the ARC control fuel or alternatively Commercial Fuel or FIA Fuel as defined in Schedule C of the CAMS Manual of Motor Sport.~~

~~Fuel testing shall be carried out at the discretion of the Technical Commissioner.~~

~~The ARC Control Fuel must be ordered via the order form on the website www.rally.com.au. All fuel ordered in this manner will be delivered with special CAMS markings. Only fuel so ordered will be permitted for use during the rally and in pre-event testing."~~

Confederation of Australian Motor Sport Ltd

A.B.N. 55 089 045 665

851 Dandenong Road, Malvern East Victoria 3145 PO Box 147 Caulfield East Victoria 3145

Telephone: 03 9593 7777 Facsimile: 03 9593 7700 www.cams.com.au

International Tel: +61 3 9593 7777 International Fax: +61 3 9593 7700

Member



Originated by:


Peter Lawrence
Manager, Technical Services

Authorised by:


Peter Ryan
Manager Motorsport Operations

Distribution:

Board of CAMS	CEO (e)	National Managers (e)	NCR Review Committee
AMSC	State Managers (e)	Eligibility Committee (e)	Australian Rally Commission
Australian Off Road Commission	AMSAC	Technical Committee (e)	Australian Motor Racing Commission
John Benson (e)	Murray Finlay (e)	Peter Svensson (e)	Chairman, National Stewards Ctee. (e)
Auto Action	Motorsport News	Motor Racing Australia	Rally Car Clubs
Rallycorp			

vehicles to cars.

the following requirements apply with Group 2C Regulations; the forward facing gap in the front of the car. The structure of the car. The chassis shall not exceed the maximum width of the planes tangent to the rear wheels.

the following requirements: the height may exceed in height at 900mm above the bar nor any of the units of the engine. The following requirements are to be taken

from 1 January, 1975, to 31 December, 1975; and cars of 1975, but not cars of 1975, but which have been previously varied; must all comply with the following requirements:

	F/FORD
1	950mm
2	950mm
3	1,300mm
4	1,100mm

to open a door or steering wheel the driver. Moreover, the driver must ensure that the maximum speed of the car does not exceed the maximum speed of the engine.

of Motor Sport

Schedule G - Fuel

Unless expressly permitted otherwise by CAMS, all fuel used in any competition must comply with the prescriptions shown in the present Schedule. It must be used without any additives other than those permitted in Article 8. The mixing of fuels from different oil companies, or of different grades and/or types of fuel from the same oil company is expressly forbidden, other than as specified in Article 2.1.

1. RESTRICTION TO PARTICULAR TYPES OF FUEL

Upon request from Sporting Commissions of CAMS, Category Managers or persons recognised by CAMS as representing particular Groups of vehicles, certain Categories or Groups of vehicles may be restricted by CAMS to any one or more of the types of fuels as specified in Articles 2 to 6 following.

In addition, upon request from the Promoters or Organisers of particular events being of State or lesser status (see NCR 15(d)) conducted under cover of a CAMS Organising Permit, CAMS State Councils may restrict vehicles competing at these particular events to any one or more of the types of fuel as specified in Articles 2 to 6 following.

2. COMMERCIAL FUEL

"Commercial Fuel" is defined by CAMS as complying with either one of articles 2.1 or 2.2 following:

2.1 Pump Fuel: A fuel produced by an oil company for sale in the Australian general transport fuel market. Such a fuel must comply fully with the Regulations for petrol made under the Federal Government Fuel Quality Standards Act 2000.

2.2 Liquefied Petroleum Gas: The fuel must be a commercial LPG being a mixture of Butane and Propane, of a type which is dispensed from a service station pump. Where a vehicle utilises LPG, a sign in the form of the white letters LPG on a red reflective background, as per drawing G-1 must be placed immediately to the left and centralised vertically to all competition numbers.

3. LEADED RACING FUEL

For the purpose of the present regulations, Leaded Racing Fuel shall be defined as a leaded petrol which is supplied by an oil company and having a composition the same as that supplied for piston engine general aviation use, ie, Avgas 100/130 or Avgas 100LL only.

Note: Federal Government regulations will prohibit the sale of leaded fuel after 30 June 2005.

4. DIESEL

For Diesel engines, the fuel must be gas oil corresponding to the following specifications: Hydrocarbon level, 99.0 % by weight minimum.

- Specific gravity, 860 kg/m³ maximum.
- Cetane number 55 maximum. (ASTM D 613)
- Calculated cetane number 55 maximum. (ASTM D 976-B0)

5. ALCOHOL

Specific regulations for some Groups of vehicles may permit the use of alcohol fuels. In these cases, it is mandatory that cars using alcohol fuels carry a symbol in the form of the letter "A" in white on a red circle of approximately 115mm diameter as shown in drawing G-2 below. This symbol should be placed adjacent to the competition number on each side of the car, and the filling cap of the fuel tank.

6. FIA FUELS

Fuels in compliance with the prescriptions of the FIA, Appendix J, Article 252.9.1. This specification is available from CAMS upon request, or visit the FIA website www.fia.com

7. OXIDANTS

Only air may be mixed with the fuel as an oxidant. The use of Nitrous Oxide is strictly prohibited.

8. ADDITIVES

An additive is considered to be any substance, other than air, added to the fuel subsequent to its purchase from the producing oil company or recognised distributor. Nothing in the foregoing shall be deemed to prohibit the addition of water, an approved lead replacement additive* or a lubricant provided that such additive does not increase the octane rating, oxygen content or specific heat content of the fuel.

- * List of Approved Lead Replacement Additives: Valvumaster[®], Redline Lead Substitute[®], Perforce Valve Shield[®], PM 800 Fuel System Conditioner[®], Elf Milliteam[®].

9. CONTROL FUEL

A "Control Fuel" may be specified for a particular series or competition. Where such Control Fuel is specified, such fuel must either meet the requirements of Articles 2 to 6 (above) or otherwise be specifically approved by CAMS. It is prohibited to alter the composition of the fuel in any manner, including by the use of additives otherwise permitted under Article 8.

10. FUEL TESTING

Fuel samples may be drawn for testing from a competing vehicle at any time during the period of time from the commencement of the event until the vehicle is released from Parc Fermé at the conclusion of the event. It is the competitors responsibility to provide the means by which fuel samples may be taken from the vehicle; the method being subject to the approval of the Chief Scrutineer, or Technical Commissioner if appointed.

Standard Requirements

Attachment 1

Extract from Appendix J of the International Sporting Code of the FIA

Amendments have been made for the purposes of this Expression of Interest in areas where the international regulations are necessarily general. This extract is supplied for information only:

ARTICLE 9 : FUEL - COMBUSTIVE

9.1 The fuel must be commercial petrol which comes from a service station pump, without any additive other than that of a lubricant on current sale. The fuel must comply with the following specifications:

- 102.0 RON and 90.0 MON maximum, 95.0 RON and 85.0 MON minimum for unleaded fuel.

The measurements will be made according to the standards ASTM D 2899-86 and D 2700-86.

- Specific gravity between 720 and 785 kg/m³ at 15°C (measured according to ASTM D 4052).

- A maximum of 2.8 % oxygen (or 3.7 % if the lead content is less than 0.013 g/l) and 0.5 % nitrogen by weight, the remainder of the fuel consisting exclusively of hydrocarbons and not containing any power-boosting additives.

The measuring of the nitrogen content will be carried out according to the standard ASTM D 3228 and that of the oxygen content by elemental analysis with a tolerance of 0.2 %.

- Maximum content of peroxides and nitrooxide compounds: 100 ppm (ASTM D 3703 or in the case of impossibility UOP 33-82).

- Maximum lead content: 0.013 g/l (ASTM D 3341 or D 3237).

- Maximum benzene content: 5 % in volume (ASTM D 3806).

- Maximum Reid vapour pressure: 900 hPa (ASTM D 323).

- Distillation at 70°C: 10 % - 47 % (ASTM D 86).

- Distillation at 100°C: 30 % - 70 % (ASTM D 86).

- Distillation at 180°C: 85 % minimum (ASTM D 86).

- Maximum final boiling point: 225°C (ASTM D 86).

- Maximum residue: 2 % volume (ASTM D 86).

The fuel being accepted or rejected according to the standard ASTM D 3244 with a confidence limit of 95 %.

For vehicles with a catalytic converter, leaded petrol is forbidden.

Confederation of Australian Motor Sport Ltd

851 Dandenong Road, Mordialloc VIC 3145 Australia PO Box 147 Caulfield East VIC 3145 Australia
Telephone: (03) 9593 7777 International +61 3 9593 7777 Fax: (03) 9593 7700
Internet: info@camsl.com.au Website: <http://www.camsl.com.au>