

Wollerman Shacklock

Barristers & Solicitors

Principals:

Peter D. Shacklock
Peter G. Wollerman

TELEPHONE: (03) 9707 1155

FAX: (03) 9707 4834

8 Gloucester Avenue
BERWICK, 3806, AUSTRALIA
P.O. BOX 215, BERWICK
Ausdoc DX 30456 BERWICK

Email wollshack@wollermanshacklock.com

Our Ref. PDS:NM:04.05.299

Your Ref :

20 May 2004

ACCC
Level 35, 360 Elizabeth Street,
MELBOURNE VIC 3000



Dear Sir,

RE: WILLIAMS EVENT MANAGEMENT PTY. LTD - NOTIFICATION OF EXCLUSIVE DEALING SECTION 47(6 TRADE PRACTICES ACT)

We act for Williams Event Management Pty. Ltd. We enclose Notification Form G with Net Public Benefit Issues attached. We also lodge the following support documents: -

1. Supplementary Regulations.
2. Entry Forms and indemnity.
3. Website report dated 27 April 2004.
4. Acknowledgment by riders.

Our client lodges the Notification and seeks an indemnity on the basis of the Public Benefit Issues and seeks to obtain the indemnity because of threats received from Dunlop Motorsport whose demands are in our opinion nothing more than vexatious, of no competition basis nor in the Public Interest.

Our cheque for \$100.00 being the required fee is also attached and we look forward to your acknowledgement and notice.

Yours faithfully,
WOLLERMAN SHACKLOCK

Per:

Peter D. Shacklock.

FILE No:
DOC: D04/23359
MARS/PRISM:

Encl.

Form G

Commonwealth of Australia
 Trade Practices Act 1974 --- Sub-section 93(1)
**EXCLUSIVE DEALING
 NOTIFICATION**

To the Australian Competition and Consumer Commission:

Notice is hereby given, in accordance with sub-section 93(1) of the Trade Practices Act 1974, of particulars of conduct or of proposed conduct of a kind referred to in sub-section 47(2), (3), (4), (5), (6) or (7), or paragraph 47 (8) (a), (b) or (c) or (9) (a), (b), (c) or (d) of that Act in which the person giving notice engages or proposes to engage.

(PLEASE READ DIRECTIONS AND NOTICES ON BACK OF FORM)

1. (a) Name of person giving notice..... WILLIAMS EVENT MANAGEMENT Pty. Ltd. ACN 080613878

(See Direction 2 on the back of this form)

(b) Short description of business carried on by that person
PROMOTION OF MOTOCROSS EVENTS

(c) Address in Australia for service of documents on that person
c/- WOLLERMAN SHACKLOCK SOLICITORS
 8 GLOUCESTER AVE BERWICK 3806

2. (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates
CONDUCT OF A MOTORCYCLE RACE

(b) Description of the conduct or proposed conduct
A REQUIREMENT THAT A PARTICULAR TYRE BE USED BY
 THE COMPETITOR

(See Direction 4 on the back of this Form)

3. (a) Class or classes of persons to which the conduct relates
MOTORCYCLE RIDERS WISHING TO COMPETE IN THE EVENT

(b) Number of those persons--
 (i) At present time APPROX 70
 (ii) Estimated within the next year..... SAME NUMBER OF COMPETITORS

(c) Where number of persons stated in item 3 (b) (i) is less than 50, their names and addresses

4. Names and address of person authorised by the person giving this notice to provide additional information in relation to this notice.....
PETER SHACKLOCK
 8 GLOUCESTER AVE
 BERWICK 3806 0397073433

Dated 19.5......, 1904.....

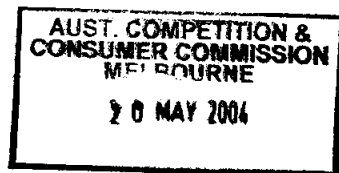
Signed by/on behalf of the applicant giving notice

[Handwritten Signature]

(Signature)

(Full Name)

(Description)



NET PUBLIC BENEFIT ISSUES

Williams Event Management Pty. Ltd A.C.N 080 613 878 (W.E.M.) is a Promoter of Motorcycle Events within Australia under the direction of Motorcycling Australia.

Currently it is promoting and conducting the Australian Motocross Championships over 8 Rounds. Included in the Series, but not part of the Championships are two support events: -

1. Australian Women's Cup.
2. Junior Rookie Support.

These support events are not both run at each round but one support event only at each round.

W.E.M. invited applications from riders to participate in the races upon the conditions set out in the Supplementary Regulations i.e. control tyre, and conflict with sponsorships.

1. There is a benefit to the riders who enter the competition because
 - (a) their entry fee is reduced.
 - (b) they are offered the opportunity to race at a National Championship event which they would otherwise not have.
 - (c) they are offered the opportunity to compete on a level playing field.
 - (d) they are presented/paraded in the public arena before a championship crowd and given the opportunity to show off their ability.

2. There is a benefit to the public because: -
 - (e) they have the opportunity to see Australia's best women and/or junior riders competed which would otherwise not be available to them at this location.
 - (f) the events would not and could not be staged by the Promoter without the control tyre condition because of its contract with the Sponsor.

3. All riders have accepted the terms and conditions as contained in the Supplementary Regulations relating to control tyres and relating to sponsorship conflict.

4. The conducting of these support events is for the mutual good and benefit of the riders competing and the public attending.



**2004 MAXXIS TYRES AUSTRALIAN MOTOCROSS
CHAMPIONSHIPS
SUPPORT CLASSES**

SUPPLEMENTARY REGULATIONS



MOTORCYCLING
AUSTRALIA
LIMITED



**PLEASE NOTE THAT BOTH CLASSES ARE BOUND BY A
CONTROLLED TYRE BRAND IN MAXXIS, PLEASE REFER TO
POINT 15 OF THESE SUPPLEMENTARY REGULATIONS.**

Round One	May 16 th	2004	Geelong	(VIC)	Women's
Round Two	May 23 rd	2004	Horsham	(VIC)	Juniors
Round Three	June 6 th	2004	Coolum	(QLD)	Juniors
Round Four	June 27 th	2004	Gilman	(SA)	Women's
Round Five	July 4 th	2004	Conondale	(QLD)	Women's
Round Six	July 18 th	2004	Appin	(NSW)	Juniors
Round Seven	August 1 st	2004	Newcastle	(NSW)	Juniors
Round Eight	August 15 th	2004	Wonthaggi	(VIC)	Women's

SERIES PROMOTER: Williams Event Management P/L (W.E.M)

Phone: 03-56222332

Mobile: 0417 318 829

Fax: 03 56222478

e-mail: wem@bigpond.net.au

www.ozmotox.com

WEM Staff:

Managing Director: Kevin Williams

Administration & Finance: Christine Williams

Rider and Logistics Co Coordinator: Bake Hore

All Entries to: W.E.M PO Box 1370 Warragul VIC 3820.

1. ANNOUNCEMENT:

The 2004 Australian Motocross Championships, hereinafter called "The Series" will be conducted for Pro Lites class and Pro Open class solo motorcycles.

2. JURISDICTION

The Series will be run under MA Permits No. MA0426 to No. MA0435. The race will be a National Competition in which holders of current MA National Licences are eligible to compete. The Promoter reserves the right to reject any entry. All competitions will be conducted in accordance with the General Competition Rules of MA, these Supplementary Regulations and any individual event final instructions approved by MA. Competitors licensed by other Federations (FMNs) are eligible to enter providing they receive a clearance from their FMN and have insurance to FIM standard.

4. DESCRIPTION OF EVENTS:

a) Australian Women's Cup, Junior Rookies

(i) Australian Women's Cup

2 x 15 Minutes plus 1 Lap Races
125cc 2 Stroke / 250cc Four Stroke

(ii) Junior Rookies 13-15 years
125cc 2 Stroke / 250cc Four Stroke

2 x 15 minutes plus 1 lap races

5. ENTRIES

Entries open forthwith and shall be lodged on the official entry form for each round direct to WEM at least 14 days Business prior to the date of each round.

The lodgement of an entry form is not a guarantee of entry into the race.

A final instruction sheet will be posted on www.ozmotox.com the Series Promoter with MA approval.

The Series Promoter may accept late entries but any late entry accepted will be charged an additional fee of \$33.

**5A. SERIES ENTRIES WILL BE ACCEPTED.
RIDERS MAY ENTER FOR THE SERIES.**

6. ENTRY FEE:

Women's Cup \$130.00 per round
Junior Rookies \$130.00 per round
Fees are GST inclusive.

7. POINTS AND POINTSCORE:

Will be determined in accordance with GCR 19.1.6

Supp_Regs_SUPPORT CLASSES Mr Motocross 2004.doc

The placegetters per round will be determined by the riders amassing the greatest number of points in each Race. ie. points are accumulated for each Race at each round.

If a tie on points occurs in either a round or overall in the series placings will be determined in accordance with GCR 5.8.9.2 and 5.8.9.3.

8. CHANGE OF MACHINE:

Change of machine may be permitted if submitted in writing to the Series Clerk of Course.

9. NUMBER PLATES:

All machines must comply with GCR 5.4.

10. PRIZEMONEY:

GST Inclusive

Women's Series over all only

1 st :	\$800.00	2 nd :	\$600.00
3 rd :	\$300.00	4 th :	\$200.00
5 th :	\$100.00		

Junior Rookies

1 st :	\$500.00	2 nd :	\$300.00
3 rd :	\$200.00		

All prize money will be paid by cheque and will be sent within 14 days after final Round .

Trophies will be awarded for each round

11. SCRUTINEERING/SIGN-ON

At each round all riders & mechanics will be required to sign on and receive a wrist band.

Any rider or mechanic without a wrist band will not be permitted in the waiting zone or track area.

Scrutineers will also check bikes at random in the waiting zone. Scrutineers will use the official checklist provided.

12. RIDERS BRIEFING

All competitors must attend the briefing to be held at 8.30am on Sunday morning. Proof of attendance shall be required by signing a register of entered riders. Failure to sign the attendance register without an acceptable reason may result in a fine or other penalty.

13. Grid Positions

By ballot and then on race order, from round two it will be on points and then race order for moto 2.

14. STARTERS:

All bikes must be in the Waiting Zone 10 minutes prior to the start. A horn will signal 1 minute before the 10 minute deadline.

If bikes are not in the Waiting Zone 10 minutes prior to the start of the race the reserve rider will be given the spot.

No person shall be allowed in the Waiting Zone area – apart from the rider and one other team member.

At the instructions of the Starter, the riders will leave the Waiting Zone to take their grid positions.

Once the final rider has taken his position on the gate the 30 second board will be raised, there will be no grace period. The starters clock will be active from the ten minutes prior to the race.

15. Controlled Tyres.

To be accepted as an entry riders must use Maxxis Tyres. The tyres can be purchased at any Motorcycle dealer, the entry fee has been rebated by Maxxis. If you have a genuine tyre sponsorship from another tyre brand you may make application to WEM for exception, exception will be at the discretion of WEM.

16. BACK NUMBERS

No competitor may compete unless wearing the machine number on his or her back in contrasting colours and with a minimum size of 125mm height and 20 mm width of stroke.

17. POSTPONEMENTS OR ABANDONMENT

The Promoter reserves the right to postpone or abandon a meeting, or to combine, cancel or shorten any event with the approval of the Race Director should conditions warrant.

18. STARTS

Starts will be clutch starts with self penalising gates.

The Clerk of Course will enforce a 5 second Stop Go penalty to any rider who jumps the start.

RESTARTS: All competitors eligible to participate in a restart will return to the Waiting Zone and will be given a minimum of five minutes prior to the restart.

19. CIRCUITS

All circuits to comply with Australian Track standards. All venues are to clearly define an adequate mechanic, pit board and work area with any entry and exit. Mechanics must be within the work area prior to the completion of the first lap and must remain in this area

until completion of the race. This is the only area that mechanics can work on bikes during racing. Persons under the age of 18 years are not allowed in the pitboard or work area.

Note GCR 5.8.5.1(c).

20. SUNDAY FORMAT

Will be listed under "Final Instructions" on the web at www.ozmotox.com

21. TEAM DRESS

Competitors and assistants are encouraged to adhere to the following dress standards during the meeting and presentations:

- collared shirt with rider/team identification
- dress shorts or trousers- suitable closed protective footwear.

22. PASSES

All series entries and teams will receive annual passes for the series.

23. DOPING TESTS

All competitors and officials are advised that as part of the MA drug education program drug testing may take place at this event in accordance with Australian Sports Commission policy as implemented by the Australian Sports Drug Agency. If any doubts exist over banned substances it is recommended competitors telephone the Drugs in Sport Hotline 1800 020 506. When drug testing takes place prizemoney may not be paid until the results of the tests are known.

24. RESULTS AND SERIES POINTS

Results of each round and series points will be will be posted at www.ma.org.au & www.ozmotox.com within 48 hours of the event.

24. OFFICIAL PRESS DAY

On the official Press Day no more than two thirds the distance of the track may be used

25. INSURANCE

The National Personal Accident Policy provides basic cover for death and permanent disablement. Ambulance insurance is compulsory and must be arranged by licensees.

IT IS STRONGLY RECOMMENDED COMPETITORS GIVE CONSIDERATION TO TAKING OUT WEEKLY BENEFITS INSURANCE.

25. FUEL TESTING

Approved fuel must be used. (Refer to GCR 7.5). Testing may take place at any time during the Series.

26. NOISE TESTING

At each round the top four placed bikes will be noise tested in the impound area plus two other bikes chosen by ballot.

27. IMAGES

WEM reserves the right to use the images and names of any competitor or team in any series merchandising, video's, electronic games, posters and printed materials as it see fit. No competitor or team shall be entitled to make financial claims on any of the above.

28. GST

The Goods and Services Tax affects the payment of prize money. If you do not provide an ABN or declare the sport is a hobby, the Promoter must withhold 48.5% of prize money over \$50 which is otherwise

payable to you. Please tick one of the boxes on the entry form and if appropriate provide your ABN to ensure the full amount of prize money is paid to you.

29. Additional Team exposure.

WEM reserves the right to prevent any team or rider displaying sponsorship signage or advertising material that it deems to be in conflict with its contracts.

30. Merchandising

Any team of rider who wishes to sell merchandise, must seek approval from WEM in writing, a fee may apply.



MOTORCYCLING
AUSTRALIA
LIMITED

OFFICIAL ENTRY FORM- INDIVIDUAL ROUNDS

2004 Australian Women's Cup & Junior Rookie Support

PLEASE TICK THE ROUND YOU WISH TO ENTER:

Round 1
 Round 2
 Round 3
 Round 4
 Round 5
 Round 6
 Round 7
 Round 8

RIDER'S DETAILS

Name: _____	Ph: _____ (Home)
Address: _____	Ph: _____ (Bus)
	Fax: _____
Date of Birth: _____	MA Licence No: _____
Club: _____	Expiry date: _____
Rider's Signature: _____	Date: _____

ENTRY DETAILS:

	MACHINE	CAPACITY	RACING NO <small>(as per SR 16)</small>	ENTRY FEE	COST
<i>Australian Women's Cup</i>				\$130.00	
<i>Junior Rookies</i>				\$130.00	
MAXXIS TYRE REBATE					- \$30.00
TOTAL COST					\$

GST - PLEASE TICK ONE

I AM A PROFESSIONAL RIDER AND MY ABN IS: _____
 MOTORCYCLE SPORT IS MY HOBBY WHICH IS THE REASON I AM NOT QUOTING AN ABN _____

PARENT/GUARDIAN DETAILS: (if rider is under 18)

Name: _____	Ph: _____ (Home)
Address: _____	Ph: _____ (Bus)
	Fax: _____
Parent/Guardian Signature: _____	Date: _____

ENTRANT'S DETAILS: (if applicable)

Name: _____	Ph: _____ (Home)
Address: _____	Ph: _____ (Bus)
	Fax: _____
	MA Licence No: _____
Entrant's Signature: _____	Date: _____

ENCLOSED IS: CHEQUE MONEY ORDER for \$ _____
 (To be made out to Williams Event Management P/L)

THE INDEMNITY MUST BE COMPLETED AT SIGN ON FOR YOUR ENTRY TO BE ACCEPTED

WEM may pass your personal contact details on to its sponsors for marketing purposes; if you don't wish your details to be passed on please tick the box

AUSTRALIAN MOTOCROSS CHAMPIONSHIP ROUND INDEMNITY FORM

MOTORCYCLING AUSTRALIA Ltd

WARNING! THIS IS AN IMPORTANT DOCUMENT WHICH AFFECTS YOUR LEGAL RIGHTS AND OBLIGATIONS, PLEASE READ IT CAREFULLY AND DO NOT SIGN IT UNLESS YOU ARE SATISFIED YOU UNDERSTAND IT.

CONTRACT TO PARTICIPATE IN MOTORCYCLE SPORTING EVENT AND/OR ACTIVITY

1. I (block letters) _____ (RIDER)

HEREBY AGREE with the persons, organisations and bodies corporate whose names appear in Schedule 1 (hereinafter collectively called "the organisers") that I am by this agreement entitled to participate in the motorcycle meeting listed in Schedule 2 (hereinafter called "the meeting") at the venue listed in Schedule 3 (hereinafter called "the venue") on the terms and conditions set out in this document.

ACKNOWLEDGMENT OF RISKS, DANGERS AND OBLIGATIONS

2. I ACKNOWLEDGE that the sport of motorcycle racing is dangerous and that by engaging in the sport and participating in the race meeting I take and am exposed to certain risks and dangers and am under certain obligations as follows:
- a) that I may be injured, physically or mentally, and may be killed;
 - b) that my machinery or equipment may be damaged, lost or destroyed;
 - c) that other competitors may ride dangerously or with lack of skill;
 - d) that track or event conditions may be hazardous and may vary without warning or predictability;
 - e) that the organisers, officials, landowners/track operators and any agent or representatives of those in charge of race meetings are frequently obliged to make decisions under pressure of time and/or events;
 - f) that any policy of insurance of or in respect of my life or physical or mental health may be avoided;
 - g) that there may be no or inadequate facilities for treatment or transport of me if I am injured;
 - h) that I have an obligation to myself and others to compete safely and within the rules of competition.

INDEMNITY GIVEN TO ORGANISERS

3. IN CONSIDERATION of the acceptance of me as an entrant in the meeting I AGREE TO INDEMNIFY the organisers and each of them in the following manner:
- a) that I participate in the race meeting at my sole risk and responsibly;
 - b) that I accept the venue as it stands with all or any defect hidden or exposed;
 - c) that I indemnify and hold harmless the organisers, their respective servants, agents or officials against any actions or claims which may be made by me or on my behalf or by other parties for or in respect of or arising out of my death or any injury, loss or damage caused to me or to my machine or equipment whether caused by negligence, breach of contract or in any manner whatsoever.

SCHEDULES

Schedule 1	1) Federation Internationale de Motocyclisme	
	2) Motorcycling Australia	
	3) _____	(State Controlling Body)
	4) W.E.M	(Series Promoter)
	5) _____	(Promoter/ Organiser-Host Club)
	6) _____	(Land Occupier)
Schedule 2	2003 Australian Motocross Championship Round _____	(Event Name)
Schedule 3	_____	(Venue)

RIDER'S SIGNATURE _____ DATE _____

THIRD PARTY INDEMNITY WHERE ENTRANT IS UNDER 18 YEARS OF AGE

4. I/WE _____ being the parents or guardians of the person named in Clause 1 (hereinafter called "the entrant") HEREBY ACKNOWLEDGE:
- a) that I/we have read the whole of this document and understand it;
 - b) that I/we consent to the entrant participating in the race meeting; AND
 - c) that I/we are aware of the risks, dangers and obligations set out in Clause 2 hereof;
5. In consideration of the entrant being accepted as an entrant in the race meeting I/WE HEREBY INDEMNIFY the organisers in the same manner and to the same effect as if I/we were the entrant.

P

NATURE _____ DATE _____



MOTORCYCLING
AUSTRALIA
LIMITED

SERIES ENTRY FORM

2004 Australian Women's Cup & Junior Rookie Support

RIDER'S DETAILS

Name: _____	Ph: _____ (Home)
Address: _____	Ph: _____ (Bus)
_____	Fax: _____
Date of Birth: _____	MA Licence No: _____
Club: _____	Expiry date: _____
Rider's Signature: _____	Date: _____

ENTRY DETAILS:

	MACHINE	CAPACITY	RACING NO (as per SR 16)	ENTRY FEE	COST
Australian Women's Cup				\$520.00	
Junior Rookie				\$520.00	
				MAXXIS TYRE REBATE	-\$120.00
				TOTAL COST	\$

GST - PLEASE TICK ONE

I AM A PROFESSIONAL RIDER AND MY ABN IS: _____

MOTORCYCLE SPORT IS MY HOBBY WHICH IS THE REASON I AM NOT QUOTING AN ABN _____

PARENT/GUARDIAN DETAILS: (if rider is under 18)

Name: _____	Ph: _____ (Home)
Address: _____	Ph: _____ (Bus)
_____	Fax: _____
Parent/Guardian Signature: _____	Date: _____

ENTRANT'S DETAILS: (if applicable)

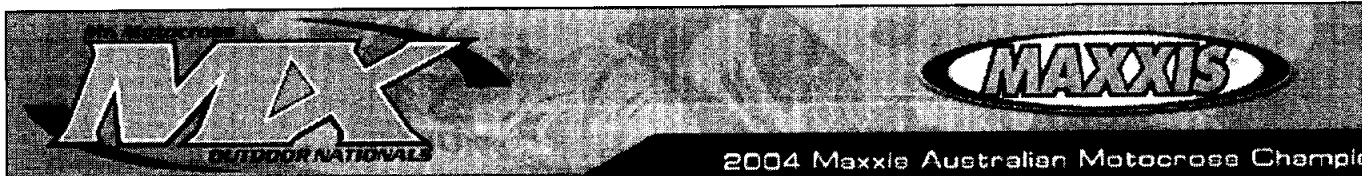
Name: _____	Ph: _____ (Home)
Address: _____	Ph: _____ (Bus)
_____	Fax: _____
Entrant's Signature: _____	MA Licence No: _____
	Date: _____

ENCLOSED IS: CHEQUE MONEY ORDER for \$ _____

Made payable to WEM. SERIES ENTRIES CLOSE ON FEBRUARY 28TH

ALL RIDERS WHO ENTER THE SERIES WILL NEED TO SIGN AN INDEMNITY AT SIGN-ON AT EACH ROUND.

WEM may pass your personal contact details on to its sponsors for marketing purposes; if you don't wish your details to be passed on please tick the box



- Home
- Contacts
- News
- Photo Gallery
- Links
- Sponsors
- TV Times
- Merchandise
- Riders
- Teams

ROUND INFORMATION:

- 1: Geelong - Vic
- 2: Horsham - Vic
- 3: Coolumb - QLD
- 4: Gilman - SA
- 5: Conondale - QLD
- 6: Appin - NSW
- 7: Newcastle - NSW
- 8: Wonthaggi - Vic

RESULTS:

- Pro Lite
- Pro Open
- Womens
- Rookies

NEWS:

Australian Women's Cup and Rookies Support

Maxxis Controlled Tyre

Tuesday, 27th April, 2004

Dear competitors,

You will be aware that we have a controlled brand of tyre for the above classes; that we put a proposal in the supp. regs. to exempt from the rule those who had, what we considered to be a genuine tyre contract with a sponsor and over the last few weeks we have received many different letters from competitors claiming to have contracts. We have divided these into three groups, those we know to be genuine, those which cast some doubt as to the extent of the sponsorship and those we know to be false.

In trying to do the right thing and satisfy everyone we have opened a huge can of worms, so have decided to remove the exemption. We note that there is no exemption in the controlled tyre races in Road Race.

Therefore in interests of fairness to all competitors there will be no exemption available to anyone and all riders wishing to compete in these classes must use MAXXIS tyres.

If this change presents a problem because of a sponsorship arrangement and you wish to withdraw your entry, you will receive a full refund.

Kevin Williams.

[<< Back](#)



Att Lisa Evans

Wednesday, 5th May 2004

Dear, Rebecca Lipset

I'm writing to you with respect to the entry you lodged for the Women's class at the Maxxis Tyres Australian Championships.

With your entry you sent an application for tyre exception. I have looked your application decided to decline your exception, you will not be restricted with respect to the use of your sponsors logo's on your bike in any way.

If at this time you wish to withdraw your entry a full refund will be made, can you please indicate which way you would like to go by signing below and faxing back to WEM 0356222478. if we don't receive your fax by Friday 7th we will cancel your entry and send you an immediate refund.

Yes I would like to still race and I understand that I must use MAXXIS TYRES on my bike.

Signature _____

No I would like to withdraw my entry and receive a full refund.

Signature _____

Yours Sincerely

Kevin R Williams