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To:	Ms Joanne Palisi Director – Adjudication Branch Australian Competition & Consumer Commission
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No. of pages:	(including this page)

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Our Ref: 2232218
Your Ref: C2004/744

30 July 2004

Dear Ms Palisi

Exclusive Dealing Third Line Forcing Notification lodged by the International Practical Shooting Confederation of Australia Inc ("IPSC") N60043

We refer to your letter dated 8 June 2004.

We have now received instructions from our client regarding the additional information requested (as set out below).

1. *Your client's views as to the likely public detriment, if any, arising from the notified conduct, including its impact on IPSC members who may not wish to become members of the SSAA.*

Approximately 70% of IPSC's members were already members of the Sporting Shooters Association of Australia ("**SSAA**"), before the IPSC decided it would require its members to also be members of the SSAA. Therefore, the notified conduct only represents a change for about 30% of IPSC's members, some of whom may prefer not to be a member of SSAA as well as IPSC. Those members will be required to pay an additional membership fee that they would not otherwise have paid. However, the amount to be paid is relatively small (see below at question 3).

This is the only public detriment of which the IPSC is aware.

2. *Further details on the claimed public benefits generated by the notified conduct, including:*
 - a. *details of additional training for members as a result of the conduct and whether or not it will be compulsory;*

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Additional training is available from the SSAA to those members wanting to compete in another shooting discipline that is not offered by IPSC. Members' decision to undertake this training is voluntary. The notified conduct will enhance the opportunities for members of both IPSC and SSAA to work together to increase training opportunities (and the promotion thereof) for members in the future.

In addition, by joining the SSAA, IPSC members will have access to additional information via SSAA's monthly publication "Australian Shooters Magazine" which provides information on technique, maintenance, safety, relevant laws and general interest stories. The IPSC will be able to submit articles about its organisation and competitions for publication in "Australian Shooters Magazine" which will increase awareness of the IPSC.

- b. further explanation as to why the claims made in the dot points in the supporting submission constitute public benefits;*

The IPSC is a relatively small organisation and is managed by a team of volunteers.

SSAA is the largest sporting shooting association in Australia, and is recognised by the state and federal governments as such.

One of the key benefits is that the IPSC (and its members) will be affiliated with a larger body, the SSAA. This results in the IPSC (and its members) receiving a greater level of support and recognition than if the IPSC was a stand alone organisation. For example, SSAA employs full-time administrative staff that IPSC members are able to utilise to assist in such matters as interpretation of laws and regulations, something that the IPSC does not have the resources to provide.

SSAA will provide funding to assist IPSC members compete in international competitions. Also see below.

- 3. Further details of membership packages for both the IPSC and the SSAA including fees, eligibility requirements and membership benefits.*

Membership Fees (p.a including GST)	IPSC	SSAA
Adult	\$65	\$65
Family (per member)	\$32.50 (max. of \$130)	\$50
Pensioner	N/A	\$50
Overseas	N/A	\$70
Under 18	\$32.50	\$20

In addition to the payment of membership fees, a person must hold or be in the process of obtaining a firearm licence and undertake the special training for the relevant discipline(s) in which they want to compete, to be eligible for membership.

The benefits of IPSC membership include:

- The ability to compete in the discipline of IPSC events at various levels, and to compete as an individual or a part of an Australian team at IPSC World Shoot events;
- Provision of the Practical Shooting Rule Book;
- Provision of a Police approved training manual which enables a potential sporting shooter to obtain the required licence and hold it for competition use;
- Provision of training regarding: drawing the firearm from the holster, the engagement of stationary and moving targets and solution of problems presented by the shooting course;
- Automatic membership of the IPSC world body which enables members to compete in all international IPSC competitions;
- Provision of a newsletter that contains information on IPSC activities.

IPSC is the only practical handgun discipline approved by the Federal Government in Australia. As a result, all participants in practical shooting competitions must be a member of the IPSC, even if they are already members of other shooting organisations such as SSAA. While the SSAA offers disciplines in which pistols are used, they are different to IPSC as they involve different rules and procedures.

The benefits of SSAA membership include:

- The ability to compete in the shooting disciplines (eg. rifle (big game), shotgun (clay targets) and handgun (pistol metallic silhouette)) that SSAA controls;
- Provision of safety related training for each shooting disciplines;
- Provision of the monthly publication "Australian Shooters Magazine";
- Insurance coverage while competing and hunting;
- Legal support for all matters relating to firearms and their use.

Please note that while the "Australian Shooters Magazine" can be purchased at newsagents it costs \$7.95 (the cost of 12 issues is more than the SSAA annual membership fee).

4. *Further details in relation to the competition structure for practical shooting and how this fits into the overall structure of competitive shooting, including whether practical shooters must be a member of the IPSC to compete or whether membership of the SSAA or another association is sufficient.*



If you are a competitive shooter you can choose to shoot under one or all of a number of disciplines (eg. IPSC, rifle (big game), shotgun (clay targets) and handgun (pistol metallic silhouette)).

There are three organisations that collectively cover all of the shooting disciplines in Australia: SSAA, IPSC and Pistol Australia. Pistol Australia relates to a handgun discipline called "Action Match".

To compete in all of the shooting disciplines in Australia a person would need to be a member of all three organisations, as well as being a full member of an approved and licensed shooting club. If a person only wants to compete under the IPSC discipline they need only be a member of one organisation, the IPSC. Conversely, if a person wants to compete under the IPSC discipline and the shotgun (clay targets) discipline they must be a member of IPSC and SSAA. If a person does not wish to participate in competitions they need not be a member of IPSC, SSAA or Pistol Australia. However, there are requirements that must be met in order to legally possess a firearm not for competition purposes.

5. *Details of legislation or regulations relating to gun ownership and sports shooting, including any requirement that gun owners or sporting shooters be members of an association in order to be licensed.*

Firearm related legislation differs from state to state. Some of the relevant legislation is the Victorian Firearms Act 1996 and Queensland Weapons Act 1990. Broadly, the legislation covers the requirement to be licensed (if a person wishes to possess and/or use a firearm), the different licences available, safekeeping of firearms etc. Generally, in order to obtain a licence for sports shooting purposes, a person must join a relevant shooting club to receive the requisite level of training first.

In addition, as a practical matter, given the IPSC does not itself provide shooting ranges, any person wishing to compete in this discipline must be a member of a shooting club anyway to obtain access to a shooting range. All shooting clubs are affiliated with one or more sporting shooter organisations.

If a person only wishes to engage in hunting they need not be a member of a shooting club but must undergo TAFE provided training in order to obtain a firearms licence.

Please contact us if you require any further information.

Yours faithfully
THOMSON PLAYFORD

A handwritten signature in black ink, appearing to read 'David Gaszner', written over a horizontal line.

David Gaszner
Partner

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