

Balint, Ilona

Subject: FW: Application for Authorisation A30243 lodged by the Association of Australian Bookmaking Companies Inc [SEC=UNCLASSIFIED]
Importance: High
Categories: SEC=UNCLASSIFIED
Attachments: Doc060418(006).PDF
ACCC Classification: SEC=UNCLASSIFIED

From: Close Mark [mailto:m.close@racingvictoria.net.au]
Sent: Tuesday, 18 April 2006 5:28 PM
To: Gregson, Scott
Subject: Application for Authorisation A30243 lodged by the Association of Australian Bookmaking Companies Inc
Importance: High

Dear Mr Gregson

Please find attached Racing Victoria Limited's response to your letter of 31 March in relation to interim authorisation aspect of the above application.

Our response in relation to the full application will be lodged by the due date of 24 April.

regards

Mark

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18 April 2006

By Email - scott.gregson@accc.gov.auMr Scott Gregson
General Manager
Adjudications Branch
Australian Competition and Consumer Commission
PO Box 1199
DICKSON ACT 2602

Dear Mr Gregson

Application for Authorisation A30243 lodged by the Association of Australian Bookmaking Companies Inc.

I refer to your letter of 31 March 2006 addressed to Robert Nason in relation to the Application for Authorisation lodged by the Association of Australian Bookmaking Companies Incorporated ("**AABC**"). Racing Victoria Limited ("**RVL**"), the Principal Racing Authority governing thoroughbred horse racing in Victoria, welcomes the opportunity to provide comments in relation to this matter.

RVL intends to forward a more detailed submission to the Australian Competition and Consumer Commission ("**Commission**") in respect of the final decision by the due date of 24 April 2006. The purpose of this letter is to provide limited comments only in respect of the application for interim authorisation. RVL does not agree or accept many of the statements or implications made in the AABC's Submission and will respond in detail at the appropriate time.

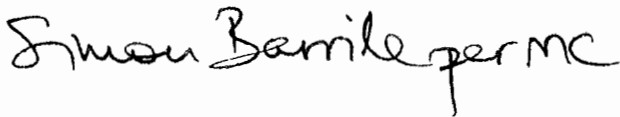
RVL does not support the application for interim authorisation as the proposed conduct described in paragraph 23 of the AABC's "Submission in Support of the AABC's Application for Authorisation" dated 29 March 2006 ("**AABC's Submission**") is unclear and could include conduct which is not appropriate to be authorised. In particular, RVL believes that the scope of the proposed conduct defined in paragraphs 23(b), 23(c) and 23(d) of the AABC's Submission is inappropriately broad and insufficiently defined. For example, with respect to paragraphs 23(b) and 23(d), it is difficult to envisage how it would be appropriate for AABC to "collectively bargain" where RVL had a dispute with a single corporate bookmaker pursuant to RVL's supervisory and regulatory functions. Equally, the vagaries contained in paragraph 23(c) are likely to lead to considerable uncertainty over its application and more generally, its consistency with existing laws.

If the Commission were minded to grant interim authorisation, then RVL believes that the scope of any interim authorisation, as it relates to thoroughbred horse racing, should be confined to the proposed conduct as defined in paragraph 23(a) of the AABC's Submission.

Finally, it is noted that RVL would be concerned if any interim authorisation allowed the AABC to engage in collective boycott activity or any similar form of anti-competitive conduct. Although it would seem that the intention behind paragraph 24 of the AABC's Submission was to exclude any collective boycott activity from the scope of the application for authorisation, this is not clear and RVL therefore requests that if the Commission grants interim authorisation that it specifically exclude any collective boycott activity.

Please contact me if you wish to discuss any of the issues raised in this letter further.

Yours sincerely

A handwritten signature in black ink that reads "Simon Barrile per MC". The signature is written in a cursive, slightly slanted style.

Simon Barrile
Legal Counsel